Mr. Reid V

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TITLE 3—THE PRESIDENT

EXECUTIVE ORDER 9817

REGULATIONS GOVERNING AWARDS TO FEDERAL EMPLOYEES FOR MERITORIOUS SUGGESTIONS AND FOR EXCEPTIONAL OR MERITORIOUS SERVICE

By virtue of and pursuant to the authority vested in me by section 14 of the act of August 2, 1946 (Public Law 600, 79th Congress), I hereby prescribe the following rules and regulations governing the payment of awards for meritorious suggestions of civilian officers and employees and for the incurring of expenses for honorary recognition of exceptional or meritorious service:

SECTION 1. Any civilian officer or employee of a department (as the word "department" is defined in section 18 of the said act of August 2, 1946) who makes a suggestion, in such form and manner as his department shall require, which is adopted for use in the department on or after August 2, 1946, and, in the judgment of the department head or other duly authorized authority in the department, has resulted or will result in improvement or economy in the operations of the department by way of monetary savings, increased efficiency, conservation of property, improved employee-working conditions, better service to the public, or otherwise, shall be eligible for consideration for a cash award. A former civilian officer or employee (or his estate) shall be similarly eligible for awards for such suggestions made while in the service of the department.

SEC. 2. Whenever a suggestion is determined to be meritorious and is adopted solely or primarily because it will result or has resulted in the saving of money, the amount of the award shall be based on the amount of the annual estimated saving in the first year of operation in accordance with the following table, unless for special reasons the head of the department shall determine, subject to the limitations prescribed in the said act, that a different amount is justified:

Savings	*Awards*
$1–$1,000	$10 for each $200 of savings with a minimum of $10 for any adopted suggestion.
$1,000–$10,000	$50 for the first $1,000 of savings, and $25 for each additional $1,000 of savings.
$10,000–$100,000	$275 for the first $10,000 of savings, and $50 for each additional $10,000 of savings.
$100,00 or more	$725 for the first $100,000 of savings, and $100 for each additional $100,000 of savings; provided that (with the exception of the War and Navy Departments) the maximum award for any one suggestion shall not exceed $1,000.

SEC. 3. When a suggestion is adopted primarily upon the basis of improvement in the operations or services of the department, the department shall determine the amount of the award commensurate with the benefits anticipated from the suggestion. Whenever the head of a department believes that a suggestion he has adopted would benefit the Government service generally, he may report it to the Director of the Bureau of the Budget for dissemination to all departments.

SEC. 4. At the end of each fiscal year each department shall report to the Director of the Bureau of the Budget the number of employee suggestions submitted, the number of such suggestions adopted, the total amount of cash awards, and the total amount of estimated annual savings.

SEC. 5. A department may provide for the purchase and award of appropriate certificates, medals, or other emblems, in honorary recognition of service which is determined by the head of the department to be exceptional or meritorious.

SEC. 6. No award shall be paid for any suggestion which is not adopted for use within five years from the date the suggestion is received by the department. Any department may, in its discretion,

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THE PRESIDENT

EXECUTIVE AGENCIES

FEDERAL REGISTER

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NOTICE

General notices of proposed rule making, published pursuant to section 4 (a) of the Administrative Procedure Act (Pub. Law 404, 79th Cong.; 60 Stat. 238), which were carried under "Notices" prior to January 1, 1947, are now presented in a new section entitled "Proposed Rule Making". Relationship of these documents to material in the Code of Federal Regulations, formerly shown by cross reference under the appropriate Title, is now indicated by a bold-face citation in brackets at the head of each document.

CONTENTS—Continued

CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such in parentheses.

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change the designated period of five years to a less period of time.

SEC. 7. No award shall be paid to any officer or employee for any suggestion which represents a part of the normal requirements of the duties of his position.

SEC. 8. The total of cash awards paid during any fiscal year in any department (except the War and Navy Departments) shall not exceed $25,000. Cash awards and expenses for honorary recognition for exceptional or meritorious service may be paid from the appropriation for the activity primarily benefiting or may be distributed among appropriations for activities benefiting as the head of the department determines.

SEC. 9. A cash award shall be in addition to the regular compensation of the recipient, and the acceptance of such cash award shall constitute an agreement that the use by the United States of the suggestion for which the award is made shall not form the basis of a further claim of any nature upon the United States by him, his heirs, or assigns.

SEC. 10. This order shall be effective as of August 2, 1946, and shall be published in the FEDERAL REGISTER.

HARRY S. TRUMAN

THE WHITE HOUSE,
December 31, 1946.

[F. R. Doc. 47-131; Filed, Jan. 2, 1947; 2:31 p. m.]

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 12—REMOVALS AND REDUCTIONS

RETENTION PREFERENCE REGULATIONS FOR USE IN REDUCTIONS IN FORCE

1. Paragraphs (a), (c) and (d) of § 12.309 (10 F. R. 12184) are amended to read as follows:

§ 12.309 *Actions*—(a) *Exceptions; furloughs.* Where the reduction in force is the result of a temporary condition which is not expected to continue for more than one year, employees reached for action may, in lieu of being separated, be furloughed for a period not to exceed the unexpired portion of the period of appointment and in no case shall it exceed one year: *Provided*, That notice of furlough to employees in subgroups A–1 and A–2 with competitive status shall conform to the one-year notice rule under § 12.310. In the event that vacancies are to be filled in positions in the competitive level and competitive area from which such employees have been furloughed, such employees shall be given the opportunity to return to duty before any original appointments are made to such positions: *Provided, however*, That since no position in the agency may be filled by original appointment of a person, or by the promotion, reassignment, or transfer of a retention group B or C employee if the agency has employees in subgroup A–1 or A–2 with competitive status on leave or furlough due to reduction in force who are available and qualified to fill the position without undue interruption to the activity, such status employees in subgroup A–1 or A–2 shall be considered for such positions. Offer of recall to duty in positions of the competitive level and competitive area from which furloughed shall be made in the order of retention preference of furloughed employees.

* * * * *

(c) *Exceptions; status employees.* No employee in retention group A–2, A–3 or A–4 with competitive status and serving in a position subject to the Civil Service Act may be separated or furloughed in a reduction in force if there is a position subject to the Civil Service Act in the department in any other competitive area or competitive level within the geographic area, which may reasonably be expected to continue for one year or more, not filled by a retention group A employee which he could fill without undue interruption to the activity involved unless (1) he refuses a reasonable offer of transfer to a position meeting these requirements, including reduction in pay, if necessary, or (2) he has reemployment rights to a position in another department. Subject to the other requirements set forth above, agencies shall consider such group A–2 employee with competitive status who is reached in a reduction and who has had five or more years of Federal Government service including active military service, for reassignment to a position either vacant or occupied by a war service or a temporary employee in the agency at another geographic area where reassignment within his present geographic area cannot be made and the employee desires to be considered for a position in such other area. Offers of reassignment of status employees in subgroup A–2 shall be made prior to the expiration of the first sixty days of nonduty status.

(d) *Exceptions; veterans preference employees.* No employee in subgroup A–1 with competitive status and serving in a position subject to the Civil Service Act may be separated or furloughed in a reduction in force if there is a position subject to the Civil Service Act in the department in any other competitive area or competitive level within the geographic area which may reasonably be expected to continue for one year or more not filled by an employee in subgroup A–1 which he could fill without

undue interruption to the activity involved, unless (1) he refuses a reasonable offer of transfer to a position meeting these requirements, including reduction in pay if necessary, or (2) he has reemployment rights in another department. Subject to the other requirements set forth above, agencies shall consider such veteran preference career employee in group A–1 with competitive status who is reached in a reduction and who has had five or more years of Federal Government service including active military service, for reassignment to a position either vacant or occupied by a war service or a temporary employee in the agency at another geographic area where reassignment within his present geographic area cannot be made and the employee desires to be considered for a position in such other area. Offers of reassignment of status employees in subgroup A–1 shall be made prior to the expiration of the first sixty days of non-duty status.

2. Section 12.310 (10 F. R. 12185) is amended by the insertion, immediately following the section heading, of the following new paragraph:

§ 12.310 *Notice to employees.* An employee in group A–1 or A–2 with competitive status affected by a reduction in force shall be given an individual notice in writing one year before the action becomes effective. His one-year notice period shall be composed of (a) whenever possible, at least 30 days in an active duty status; (b) a non-duty status with pay for the duration of his leave, if any; and (c) the balance of the year in a furlough or leave without pay status. Exceptions to this rule are authorized (a) when the employee requests separation in lieu of furlough, or (b) when the agency as a whole is liquidating, in which case the notice period shall terminate as of the day the agency is finally liquidated.

3. The first sentence of the present first paragraph of § 12.310 which will follow the preceding new paragraph, is amended to read as follow: "Each employee, except those in subgroups A–1 or A–2 with competitive status, affected by reduction in force shall be given an individual notice in writing at least 30 days before the action becomes effective."

4. The phrase "Such notice shall inform the employee of:" which appears at the end of the present first paragraph of § 12.310 is amended to read: "Notices to employees shall inform them of:"

5. In the first paragraph of § 12.312 (10 F. R. 12185) the period after the word "interchangeable" at the end of the paragraph is changed to a comma and the following clause is added: "and, *Provided further,* That notices to group A–1 and A–2 employees with competitive status shall be made to conform to the notice requirements of § 12.310."

6. In the second sentence of the second paragraph of § 12.312, following the phrase "for at least thirty days", the following clause is inserted: "or if a group A–1 or A–2 employee with competitive status, for the period provided for in § 12.310."

7. These amendments are effective as to notices released to employees on and after January 15, 1947.

NOTE: The Federal Government, at the present time, is going through a period of reductions in force in many agencies. In some of these reductions career employees with many years of service have been reached for separation in particular agencies and locations when in other parts of the same agency or of the Federal service, war-service and temporary appointees continue on the job. It is the policy of the Federal Government that fully satisfactory employees who have achieved competitive status and given loyal service be retained as long as their services are required, or, if they cannot be retained, that they be returned to duty as soon as openings occur or that placements for them in other agencies be made by the displacement of war-service and temporary employees. The above amendments are intended to supply the means whereby this policy may be made effective. Inasmuch as the situation which is to be remedied is a presently existing one, the Commission finds that good cause exists for making these amendments effective prior to the thirty days after publication in the FEDERAL REGISTER requirement of section 4 (c) of the Administrative Procedure Act (Public Law 404, 79th Congress).

(Sec. 12, 58 Stat. 390; 5 U. S. C. Sup. 861)

The United States Civil Service Commission.

[SEAL] ARTHUR S. FLEMING,
Acting President.

[F. R. Doc. 47–88; Filed, Jan. 3, 1947; 8:47 a. m.]

TITLE 6—AGRICULTURAL CREDIT

Chapter II—Production and Marketing Administration (Commodity Credit)

[Supp. Announcement 5]

PART 295—DISPOSAL OF SURPLUS AGRICULTURAL COMMODITIES FOR EXPORT

SUPPLEMENTAL ANNOUNCEMENT TO TERMS AND CONDITIONS OF COTTON SALES FOR EXPORT PROGRAM

The Terms and Conditions of Cotton Sales for Export Program, dated April 22, 1946 (11 F. R. 4515, 4645), is hereby amended in the following respects:

1. Section 295.8 *Eligibility for payments of the Secretary* is amended by deleting paragraph (a) thereof.

2. Paragraph (d) of § 295.10, as amended, is amended to read as follows:

§ 295.10 *Satisfactory evidence of exportation.* * * *

(d) The documents specified above must be filed with the New Orleans Office not later than January 15, 1947, except that they may be filed not later than 45 days after the date of the landing certificate, on board ship bill of lading, certification by the steamship company, or shipmaster's receipt where such date is subsequent to December 1, 1946; and, in those cases in which cotton is sold by the Corporation from its stocks in reliance upon the exporter's bond, the documents specified above must also be filed not later than 45 days after the sailing date or month or months of delivery shown on the certified copy of the sales contract filed with the New Orleans Office. An extension of time for submission of the documents specified above may be granted by the Director of the New Orleans Office if the exporter has been delayed in submitting such documents by causes which are determined by the Director of the New Orleans Office to be beyond the control of the exporter.

These amendments shall be effective as to all export sales heretofore or hereafter registered under this offer.

(Sec. 32, 49 Stat. 774 as amended, sec. 21 (c), 58 Stat. 776; 7 U. S. C. and Sup., 612c et seq., 50 U. S. C. App. Sup. 1630 (c))

Dated this 31st day of December 1946.

[SEAL] JESSE B. GILMER,
Acting President of Commodity Credit Corporation; Authorized Representative of the Secretary of Agriculture.

[F. R. Doc. 47–99; Filed, Jan. 3, 1947; 8:55 a. m.]

TITLE 7—AGRICULTURE

Subtitle A—Office of Secretary of Agriculture

PART 7—PRICE DECONTROL AND RECONTROL

CERTIFICATION OF AGRICULTURAL COMMODITIES IN SHORT SUPPLY

§ 7.50 *Certification of agricultural commodities in short supply.* Pursuant to the authority vested in me by the Emergency Price Control Act of 1942, as amended, and particularly by section 1A (e) (1) of said act as added by the Price Control Extension Act of 1946, I hereby certify to the Temporary Controls Administrator that modifications in the certification of commodities in short supply, made on September 1, 1946, as amended (11 F. R. 9669, 11349, 13135, 14063), should be, and the same hereby are, made as follows: The following commodities are determined to be no longer in short supply:

Grain sorghums including all food and feed products thereof except protein meals, sweeteners and oil.
Red clover, alsike clover, sweet clover and alfalfa seeds.
Millfeeds and other grain by-products except protein meals.
Feed screenings.
Cattle and calves for slaughter.
Sheep and lambs.
Mohair.
Candy and confectionery.
Soft drinks and soft drink powders.
Dessert powder and gelatin.
Distilled spirits.
Malt beverages.
Canned fish flakes.

(Pub. Law 548, 79th Cong.)

Done this 31st day of December 1946.

[SEAL] CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 47–94; Filed, Jan. 3, 1947; 8:48 a. m.]

PART 7—PRICE DECONTROL AND RECONTROL

REMOVAL OF MAXIMUM PRICES ON AGRICULTURAL COMMODITIES NOT IMPORTANT IN RELATION TO BUSINESS COSTS OR LIVING COSTS

§ 7.60 *Removal of maximum prices on agricultural commodities not important in relation to business costs or living costs.* Pursuant to the authority vested in me by the Emergency Price Control Act of 1942, as amended, and particularly by section 1A (e) (2) (B) of said act as added by the Price Control Extension Act of 1946, I hereby determine that no recommendation should be, and none is, made that maximum prices be removed on any agricultural commodity for the reason that it is not important in relation to business costs or living costs pursuant to section 1A (e) (2) (B) of said act.

(Pub. Law 548, 79th Cong.)

Done this 31st day of December 1946.

[SEAL] CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 47-93; Filed, Jan. 3, 1947; 8:48 a. m.]

Chapter VII—Production and Marketing Administration (Agricultural Adjustment)

[Tobacco 13, Supp. 1]

PART 725—BURLEY AND FLUE-CURED TOBACCO

MARKETING QUOTA REGULATIONS; 1947–48

The amendments herein are based on the tobacco marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended (7 U. S. C. 1311–1314, inclusive). The purpose of the first amendment is to more clearly define the use of limits and factors applicable in making upward adjustments among farms for which preliminary acreage allotments have been established. The purpose of the second amendment is to provide a rule whereby the State committee may allocate the acreage available in the State for adjustments of farm acreage allotments among the counties and communities within the State. Prior to formulation of these amendments, notice was given (11 F. R. 14250) that the Secretary of Agriculture was considering the amending of the regulations to accomplish the purposes mentioned above, and that any interested person might express his views in writing with respect thereto. No written expressions were received postmarked by December 20, 1946, the closing date therefor mentioned in the notice aforesaid. The amendments herein shall become effective thirty days after their publication in the FEDERAL REGISTER.

The Marketing Quota Regulations, Flue-cured and Burley Tobacco, 1947–48 Marketing Year, Part I, are amended by:

1. Striking out subparagraph (1) of paragraph (b) of § 725.316 (11 F. R. 10254) and inserting in lieu thereof the following:

(1) The preliminary allotment for any farm (including any small farm after adjustment pursuant to paragraph (a) of this section) may be increased within the limits stated in subparagraph (3) of this paragraph if the community committee, with the approval of the county committee, finds it to be smaller in relation to past acreage of tobacco, and the land, labor, and equipment available for the production of tobacco on the farm than the average of the preliminary allotments for all old farms in the community in relation to such factors: *Provided*, That any such adjustment shall be made in relation to the acreage of tobacco harvested on the farm in the 3 years 1944–46 and after giving due consideration to the crops and enterprises on the farm other than tobacco and the soil and other physical factors affecting the production of tobacco on the farm.

2. Striking out the first sentence in subparagraph (4) of § 725.316 (b) and inserting in lieu thereof the following:

(4) The increases for all farms in any community, as determined pursuant to § 725.315 (c) and subparagraphs (1) and (2) of this paragraph (adjusted preliminary allotment minus 1946 allotment), shall not exceed an amount equal to two percent of the acreage allotted to all farms in the community in 1946 unless otherwise recommended by the county committee and approved by the State committee: *Provided*, That the total of such increases for any county shall not exceed an amount equal to two percent of the acreage allotted to all farms in the county in 1946 unless otherwise approved by the State committee: *Provided further*, That the total acreage available hereunder for all farms in each State shall not exceed two percent of the total acreage allotted to all farms in each State in 1946.

(52 Stat. 38, 47, 66; 53 Stat. 1261; 54 Stat. 392; 56 Stat. 51; 57 Stat. 387; 58 Stat. 136; 7 U. S. C. 1301 (b), 1313, 1375; 60 Stat. 21)

Done at Washington, D. C., this 31st day of December 1946.

Witness my hand and the seal of the Department of Agriculture.

[SEAL] CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 47-95; Filed, Jan. 3, 1947; 8:55 a. m.]

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders)

[Lemon Reg. 203]

PART 953—LEMONS GROWN IN THE STATES OF CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENTS

§ 953.310 *Lemon Regulation 203*—(a) *Findings.* (1) Pursuant to the marketing agreement and the order (7 CFR, Cum. Supp., 953.1 et seq.), regulating the handling of lemons grown in the State of California or in the State of Arizona, issued under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said marketing agreement and order, and upon other available information, it is hereby found that the limitation of the quantity of such lemons which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that compliance with the notice, public rule making procedure, and effective date requirements of the Administrative Procedure Act (Pub. Law 404, 79th Cong., 2d Sess.; 60 Stat. 237) is impracticable and contrary to the public interest in that the time intervening between the date when information upon which the section is based became available and the time when this section must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient for such compliance.

(b) *Order.* (1) The quantity of lemons grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a. m., P. s. t., January 5, 1947, and ending at 12:01 a. m., P. s. t., January 12, 1947, is hereby fixed at 250 carloads, or an equivalent quantity.

(2) The prorate base of each handler who has made application therefor, as provided in the said marketing agreement and order, is hereby fixed in accordance with the prorate base schedule which is attached hereto and made a part hereof by this reference. The Lemon Administrative Committee, in accordance with the provisions of the said marketing agreement and order, shall calculate the quantity of lemons which may be handled by each such handler during the period specified in subparagraph (1) of this paragraph.

(3) As used in this section, "handled," "boxes," "handler," "carloads," and "prorate base" shall have the same meaning as is given to each such word in the said marketing agreement and order.

(48 Stat. 31, 670, 675; 49 Stat. 750; 50 Stat. 246; 7 U. S. C. 601 et seq.)

Done at Washington, D. C., this 2d day of January 1947.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

PRORATE BASE SCHEDULE

[Storage date: Dec. 29, 1946, Regulation Period No. 203. 12:01 a. m. Jan. 5, 1947 to 12:01 a. m. Jan. 19, 1947]

Handler	*Prorate base percent*
Total	100.000
Allen-Young Citrus Packing Co.	.004
American Fruit Growers, Fullerton	.145
American Fruit Growers, Lindsay	.000
American Fruit Growers, Upland	.348
Consolidated Citrus Growers	.106
Corona Plantation Co.	.295
Hazeltine Packing Co.	.833
Leppla-Pratt, Produce Distributors, Inc	.000
McKellips, C. H.-Phoenix Citrus Co.	.000

PRORATE BASE SCHEDULE—Continued

Handler	Prorate base percent
McKellips Mutual Citrus Growers Inc	0.270
Phoenix Citrus Packing Co	.027
Ventura Coastal Lemon Co	1.196
Ventura Pacific Co	.969
tal A. F. G.	4.193
Arizona Citrus Growers	.338
Desert Citrus Growers Co., Inc	.051
Mesa Citrus Growers	.790
Elderwood Citrus Association	.152
Klink Citrus Association	7.720
Lemon Cove Association	6.442
Glendora Lemon Growers Association	.835
La Verne Lemon Association	.203
La Habra Citrus Association	.635
Yorba Linda Citrus Association, The	.242
Alta Loma Heights Citrus Association	.545
Etiwanda Citrus Fruit Association	.591
Mountain View Fruit Association	.448
Old Baldy Citrus Association	1.354
Upland Lemon Growers Association	1.777
Central Lemon Association	.452
Irvine Citrus Association	.625
Placentia Mutual Orange Association	.207
Corona Citrus Association	.148
Corona Foothill Lemon Co	.511
Jameson Co	.731
Arlington Heights Fruit Co	.529
College Heights Orange & Lemon Association	2.053
Chula Vista Citrus Association, The	1.280
El Cajon Valley Citrus Association	.500
Escondido Lemon Association	7.424
Fallbrook Citrus Association	2.756
Lemon Grove Citrus Association	.584
San Dimas Lemon Association	.957
Carpinteria Lemon Association	2.659
Carpinteria Mutual Citrus Association	2.784
Goleta Lemon Association	3.035
Johnston Fruit Co	6.046
North Whittier Heights Citrus Association	.944
San Fernando Heights Lemon Association	2.504
San Fernando Lemon Association	.766
Sierra Madre-Lamanda Citrus Association	1.708
Tulare County Lemon and Grapefruit Association	2.763
Briggs Lemon Association	1.238
Culbertson Investment Co	.519
Culbertson Lemon Association	1.123
Fillmore Lemon Association	1.365
Oxnard Citrus Association No. 1	1.603
Oxnard Citrus Association No. 2	2.562
Rancho Sespe	.567
Santa Paula Citrus Fruit Association	2.076
Saticoy Lemon Association	2.742
Seaboard Lemon Association	2.025
Somis Lemon Association	.000
Ventura Citrus Association	1.020
Limoneira Co	1.597
Teague-McKevett Association	.473
East Whittier Citrus Association	.448
Leffingwell Rancho Lemon Association	.137
Murphy Ranch Co	.960
Whittier Citrus Association	.633
Whittier Select Citrus Association	.232
Total C. F. G. E.	85.399
Arizona Citrus Products Co	.105
Chula Vista Mutual Lemon Association	1.348
Escondido CoOp. Citrus Association	.693
Glendora CoOp. Citrus Association	.288
Index Mutual Association	.165
La Verne CoOp. Citrus Association	1.238
Libbey Fruit Packing Co	.103

PRORATE BASE SCHEDULE—Continued

Handler	Prorate base percent
Orange CoOp. Citrus Association	0.101
Pioneer Fruit Co	.131
Tempe Citrus Co	.068
Ventura County Orange and Lemon Association	1.557
Whittier Mutual Orange and Lemon Association	.232
Total M. O. D.	6.029
Abbate, Chas. Co., The	.092
Atlas Citrus Packing Co	.091
California Citrus Groves, Inc., Ltd	.227
El Modena Citrus, Inc	.027
Evans Bros. Packing Co.—Riverside	.437
Evans Bros. Packing Co.—Sentinel Butte Ranch	.561
Foothill Packing Co	.000
Harding & Leggett	.827
Orange Belt Fruit Distributors	1.459
Potato House, The	.007
Raymond Bros	.000
Rooke, B. G., Packing Co	.120
San Antonio Orchard Co	.049
Sun Valley Packing Co	.000
Sunny Hills Ranch, Inc	.300
Valley Citrus Packing Co	.000
Verity, R. H., Sons & Co	.154
Western States Fruit & Produce Co	.028
Total Independents	4.379

[F. R. Doc. 47-150; Filed, Jan. 3, 1947; 11:34 a. m.]

[Orange Reg. 159]

PART 966—ORANGES GROWN IN THE STATES OF CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENTS

§ 966.305 *Orange Regulation 159*—(a) *Findings.* (1) Pursuant to the provisions of the order (7 CFR, Cum. Supp., 966.1 et seq.) regulating the handling of oranges grown in the State of California or in the State of Arizona, issued under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendation and information submitted by the Orange Administrative Committee, established under the said order, and upon other available information, it is hereby found that the limitation of the quantity of such oranges which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that compliance with the notice, public rule making procedure, and effective date requirements of the Administrative Procedure Act (Public Law 404, 79th Cong., 2d Sess.; 60 Stat. 237) is impracticable and contrary to the public interest in that the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient for such compliance.

(b) *Order.* (1) The quantity of oranges grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a. m., p. s. t., January 5, 1947, and ending at 12:01 a. m., p. s. t., January 12, 1947, is hereby fixed as follows:

(i) *Valencia oranges.* Prorate Districts Nos. 1, 2, and 3, unlimited movement.

(ii) *Oranges other than Valencia oranges.* (*a*) Prorate District No. 1, 1050 carloads; (*b*) Prorate District No. 2, 150 carloads; and (*c*) Prorate District No. 3, 50 carloads.

(2) The prorate base of each handler who has made application therefor, as provided in the said order, is hereby fixed in accordance with the prorate base schedule which is attached hereto and made a part hereof by this reference. The Orange Administrative Committee, in accordance with the provisions of the said order, shall calculate the quantity of oranges which may be handled by each such handler during the period specified in subparagraph (1) of this paragraph.

(3) As used herein, "handled," "handler," "carloads," and "prorate base" shall have the same meaning as is given to each such term in the said order; and "Prorate District No. 1," "Prorate District No. 2," and "Prorate District No. 3" shall have the same meaning as is given to each such term in § 966.107 of the rules and regulations (11 F. R. 10258) issued pursuant to said order.

(48 Stat. 31, 670, 675; 49 Stat. 750; 50 Stat. 246; 7 U. S. C. 601 et seq.)

Done at Washington, D. C., this 2d day of January 1947.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

PRORATE BASE SCHEDULE

[Orange Regulation Period No. 159. 12:01 a. m. Jan. 5, 1947 to 12:01 a. m. Jan. 12, 1947]

ALL ORANGES OTHER THAN VALENCIA ORANGES

Prorate District No. 1

Handler	Prorate base percent
Total	100.0000
A. F. G. Lindsay	1.7989
A. F. G. Porterville	2.1809
Cooperative Citrus Association	.6959
Dofflemyer, W. T	.5363
Elderwood Citrus Association	1.2281
Exeter Citrus Association	2.9962
Exeter Orange Growers Association	.6349
Exeter Orchards Association	1.0907
Hillside Packing Corp	1.6060
Ivanhoe Mutual Orange Association	1.1209
Klink Citrus Association	4.5940
Lemon Cove Association	1.4150
Lindsay Citrus Growers Association	2.7275
Lindsay Cooperative Citrus Association	1.4168
Lindsay District Orange Co	1.4191
Lindsay Fruit Association	1.9484
Lindsay Orange Growers Association	.6670
Naranjo Packing House Co	.9099
Orange Cove Citrus Association	3.2611
Orange Packing Co	1.1185
Orosi Foothill Citrus Association	1.3038
Paloma Citrus Fruit Association	1.0982
Pogue Packing House, J. E	.6704
Rocky Hill Citrus Association	2.0874
Sanger Citrus Association	3.0992
Sequoia Citrus Association	.8490
Stark Packing Corp	2.3536
Visalia Citrus Association	.6529

PRORATE BASE SCHEDULE—Continued

ALL ORANGES OTHER THAN VALENCIA ORANGES—continued

Prorate District No. 1—Continued

Handler	Prorate base percent
Waddell & Son	1.8980
Butte County Citrus Association, Inc	.8188
James Mills Orchard Corp	1.1403
Orland Orange Growers Association, Inc	.6792
Baird-Neece Corp	1.7467
Beattie Association, Agnes M	.6374
Grand View Heights Citrus Association	1.9573
Magnolia Citrus Association	2.1907
Porterville Citrus Association	1.3573
Richgrove-Jasmine Citrus Association	1.4470
Sandilands Fruit Co	1.0530
Strathmore Coop. Association	1.6804
Strathmore District Orange Association	1.6281
Strathmore Fruit Growers Association	1.1917
Strathmore Packing House Co	1.3740
Sunflower Packing Corp	1.9865
Sunland Packing House	2.6369
Terra Bella Citrus Association	1.3163
Tule River Citrus Association	1.1360
Jensen, M. N	2.2347
Kroells Brothers, Ltd	1.3566
Lindsay Mutual Groves	1.7922
Martin, J. D	1.0972
Stivers Packing Co	.7520
Woodlake Packing House	1.6688
R. M. C. Porterville	1.9331
Abbate Company, The Chas	.8989
Anderson Packing Co., R. M	.7180
Baker Brothers	.1008
California Citrus Grs., Inc., Ltd	1.7858
Chess Company, Meyer W	.2762
Edison Groves Co	.0000
Edison Orange Growers Association	.0000
Evans Brothers Packing Co	1.4422
Furr, N. C	.3350
Ghianda Ranch	.0221
Harding & Leggett	1.3921
Lo Bue Bros	.4402
Marks, W. & M	.4563
Raymond Bros	.1354
Reimers, Don H	.2333
Rooke Packing Co., B. G	3.2379
Snyder & Sons Co., W. A	.8127
Toy, Chin	.0679
Webb Packing Co., Inc	.8970
Western States Fruit & Produce Co	.2371
Wollenman Packing Co	.7718
Woodlake Heights Packing Corp	.8648
Zaninovich Brothers, Inc	.6637
Prorate District No. 2	
Total	100.0000
A. F. G. Alta Loma	.3272
A. F. G. Fullerton	.0486
A. F. G. Orange	.0346
A. F. G. Redlands	.3613
A. F. G. Riverside	.8887
Corona Plantation Co	.9514
Hazeltine Packing Co	.0902
Signal Fruit Association	.7516
Azusa Citrus Association	.9746
Azusa Orange Co., Inc	.1157
Damerel-Allison Co	1.0381
Glendora Mutual Orange Association	.5414
Irwindale Citrus Association	.4017
Puente Mutual Citrus Association	.0549
Valencia Heights Orchards Association	.2408
Covina Citrus Association	1.4797
Covina Orange Growers Association	.6886
Duarte-Monrovia Fruit Exchange	.4125
Glendora Citrus Association	.7743
Glendora Heights O. & L. Growers Association	.1811

PRORATE BASE SCHEDULE—Continued

ALL ORANGES OTHER THAN VALENCIA ORANGES—continued

Prorate District No. 2—Continued

Handler	Prorate base percent
Gold Buckle Association	3.0444
La Verne Orange Association, The	4.6651
Anaheim Citrus Fruit Association	.0534
Anaheim Valencia Orange Association	.0145
Eadington Fruit Co., Inc	.2968
Fullerton Mutual Orange Association	.2844
La Habra Citrus Association	.1272
Orange Co. Valencia Association	.0223
Orangethorpe Citrus Association	.0207
Placentia Coop. Orange Association	.0446
Yorba Linda Citrus Association, The	.0230
Alta Loma Heights Citrus Association	.3640
Citrus Fruit Growers	.9609
Cucamonga Citrus Association	.5913
Etiwanda Citrus Fruit Association	.2122
Mountain View Fruit Association	.1373
Old Baldy Citrus Association	.3990
Rialto Heights Orange Growers	.4547
Upland Citrus Association	2.4572
Upland Heights Orange Association	1.1083
Consolidated Orange Growers	.0266
Garden Grove Citrus Association	.0183
Goldenwest Citrus Association, The	.0779
Olive Heights Citrus Association	.0389
Santa Ana-Tustin Mutual Citrus Association	.0244
Santiago Orange Growers Association	.1409
Tustin Hills Citrus Association	.0284
Villa Park Orchards Association, Inc., The	.0331
Bradford Brothers, Inc	.2158
Placentia Mutual Orange Association	.1593
Placentia Orange Growers Association	.2753
Call Ranch	.7164
Corona Citrus Association	.6921
Jameson Co	.3825
Orange Heights Orange Association	.8684
Freak & Son, Allen	.2827
Bryn Mawr Fruit Growers Association	1.0997
Crafton Orange Growers Association	1.4518
East Highlands Citrus Association	.4287
Fontana Citrus Association	.4635
Highland Fruit Growers Association	.6837
Krinard Packing Co	1.6592
Mission Citrus Association	.6970
Redlands Coop. Fruit Association	1.7320
Redlands Heights Groves	.7598
Redlands Orangedale Association	.8124
Redlands Orange Growers Association	1.1247
Redlands Select Groves	.5871
Rialto Citrus Association	.5579
Rialto Orange Co	.3144
Southern Citrus Association	.9228
United Citrus Growers	.7597
Zilen Citrus Co	1.0644
Arlington Heights Fruit Co	.4648
Brown Estate, L. V. W	1.7353
Elephant Orchards	.0351
Gavilan Citrus Association	1.6037
Hemet Mutual Groves	.2889
Highgrove Fruit Association	.7833
McDermont Fruit Co	1.6482
Mentone Heights Association	.8426
Monte Vista Citrus Association	1.0776
National Orange Co	.8461
Riverside Heights Orange Grs. Association	1.3308
Sierra Vista Packing Association	.6787
Victoria Ave. Citrus Association	2.3195

PRORATE BASE SCHEDULE—Continued

ALL ORANGES OTHER THAN VALENCIA ORANGES—continued

Prorate District No. 2—Continued

Handler	Prorate base percent
Claremont Citrus Association	1.1008
College Heights O. & L. Association	.9493
El Camino Citrus Association	.6014
Indian Hill Citrus Association	1.4010
Pomona Fruit Growers Association	1.8681
Walnut Fruit Growers Association	.4219
West Ontario Citrus Association	1.7181
El Cajon Valley Citrus Association	.3208
Escondido Orange Association	.4746
San Dimas Orange Growers Association	1.0543
Ball & Tweedy Association	.1213
Canoga Citrus Association	.0514
N. Whittier Heights Citrus Association	.0981
San Fernando Fruit Growers Association	.2500
San Fernando Heights Orange Association	.2703
Sierra Madra Lamanda Citrus Association	.1962
Camarillo Citrus Association	.0083
Fillmore Citrus Association	1.0713
Ojai Orange Association	.8550
Piru Citrus Association	1.0223
Santa Paula Orange Association	.0967
Tapo Citrus Association	.0094
East Whittier Citrus Association	.0142
El Ranchito Citrus Association	.0368
Rivera Citrus Association	.0499
Whittier Citrus Association	.1801
Whittier Select Citrus Association	.0511
Anaheim Coop. Orange Association	.0479
Bryn Mawr Mutual Orange Association	.4888
Chula Vista Mutual Lemon Association	.1251
Escondido Coop. Citrus Association	.0863
Euclid Avenue Orange Association	2.0486
Foothill Citrus Union, Inc	.1013
Fullerton Coop. Orange Association	.0458
Garden Grove Orange Coop	.0332
Glendora Coop. Citrus Association	.0885
Golden Orange Groves, Inc	.4325
Highland Mutual Groves, Inc	.5773
Index Mutual Association	.0034
La Verne Coop. Citrus Association	2.3048
Olive Hillside Groves, Inc	.0270
Orange Coop. Citrus Association	.0526
Redlands Foothill Groves	2.0281
Redlands Mutual Orange Association	1.0399
Riverside Citrus Association	.4702
Ventura County O. & L. Association	.1804
Whittier Mutual O. & L. Association	.0558
Babijuice Corp. of Calif	.2938
Banks Fruit Co	.2863
California Fruit Distributors	.1218
Cherokee Citrus Co., Inc	1.5003
Chess Co., Meyer W	.2787
El Modena Citrus, Inc	.0847
Evans Brothers Packing Co	.7530
Gold Banner Association	1.8631
Granada Packing House	1.0349
Hill, Fred A	.6594
Inland Fruit Dealers, Inc	.2762
Orange Belt Fruit Distributors	2.1062
Panno Fruit Co., Carlo	.1923
Paramount Citrus Association	.2319
Placentia Pioneer Valley Growers Association	.0650
Riverside Growers, Inc	.6375
San Antonio Orchards Association	1.2917
Snyder & Sons Co., W. A	.8493
Torn Ranch	.0413
Verity & Sons Co., R. H	.1016
Wall, E. T	1.5056
Western Fruit Growers, Inc., Redlands	2.8733
Yorba Orange Growers Association	.0287

PRORATE BASE SCHEDULE—Continued

ALL ORANGES OTHER THAN VALENCIA ORANGES—continued

Prorate District No. 3

Handler	Prorate base percent
Total	100.0000
Allen-Young Citrus Packing Co	1.1240
Consolidated Citrus Growers	5.3292
Leppla-Pratt Produce Distrs., Inc	5.4135
McKellips Mutual Citrus Grs., Inc	14.1969
McKellips Phoenix Citrus Co., C. H	2.8530
Phoenix Citrus Packing Co	2.4146
Arizona Citrus Growers	24.0473
Bumstead, Dale	.0000
Desert Citrus Growers	3.2156
Mesa Citrus Growers	17.3646
Yuma Mesa Fruit Growers Association	.0000
Arizona Citrus Products	2.6228
Libbey Fruit Packing Co	6.4425
Pioneer Fruit Co	5.2008
Tempe Citrus Co	2.3788
Arthur & Son, J. E	.4947
Champion Produce House, L. M	.0966
Commercial Citrus Packing Co	.9720
Dhuyvetter Bros	.1300
Ishikawa, Paul	.1907
Macchiaroli Fruit Co., James	.0000
Morris Brothers Fruit Co	.0000
Orange Belt Fruit Distributors	.1460
Potato House, The	.5890
Sharp, Co., K. K	.2173
Sun Valley Packing Co	1.6287
Valley Citrus Packing Co	2.9314

[F. R. Doc. 47-151; Filed, Jan. 3, 1947; 11:34 a. m.]

Chapter XXI—Organization, Functions and Procedure

Subchapter C—Production and Marketing Administration

PART 2309—SPECIAL COMMODITIES BRANCH

MISCELLANEOUS AMENDMENTS

Effective upon publication hereof, Part 2309 of Title 7 published September 11, 1946 (11 F. R. 177A-277 to 279, inclusive), is hereby amended:

1. By striking § 2309.1 (b) (6) and substituting in lieu thereof the following:

§ 2309.1 *Central Office* * * *

(b) *The Director.* * * *

(6) Take all action necessary or appropriate in the Administration of the Naval Stores Act (7 U. S. C. 94), subject to limitations contained in said act and in rules and regulations promulgated with respect thereto, and prescribe fees for the inspection under the Agricultural Marketing Act of 1946 (Public Law 733, 79th Congress) of naval stores not within the Naval Stores Act.

2. By adding after § 2309.14 the following new section:

§ 2309.15 *Inspection of naval stores under Agricultural Marketing Act of 1946.* Under the Agricultural Marketing Act of 1946 (Public Law 733, 79th Congress) the Naval Stores Division inspects and certifies the class, quality, quantity and condition of naval stores not within the Naval Stores Act, at the request of interested persons and upon payment of fees prescribed for such service.

(R. S. 161, 5 U. S. C. 22; Pub. L. 404, 79th Congress, 60 Stat. 238)

Issued this 31st day of December 1946.

[SEAL] CLINTON C. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 47-96; Filed, Jan. 3, 1947; 8:55 a. m.]

TITLE 9—ANIMALS AND ANIMAL PRODUCTS

Chapter III—Bureau of Dairy Industry

PART 301—SANITARY INSPECTION OF PROCESS OR RENOVATED BUTTER

Correction

In Federal Register Document 46-21920, appearing at page 14674 of the issue for Friday, December 27, 1946, the eighteenth line of paragraph (e) of § 301.5 should read: "Melted by the original farmer producer".

TITLE 10—ARMY: WAR DEPARTMENT

Chapter VI—Organized Reserves

PART 602—RESERVE OFFICERS TRAINING CORPS

INSTITUTIONS AND UNITS

In § 602.121 *Institutions and units* (11 F. R. 9011, 9791, 11985, 13297) the following Class MS ROTC schools are converted to and redesignated Class MI ROTC schools as follows:

	Class	Units
Third Army area		
* * *	*	*
Columbia Military Academy, Columbia, Tenn	MI	J
* * *	*	*
Fifth Army area		
* * *	*	*
Morgan Park Military Academy, Chicago, Ill	MI	J
* * *	*	*
Missouri Military Academy, Mexico, Mo	MI	J

[G. O. 146, 5 Dec. 1946]

(39 Stat. 191, 192; 41 Stat. 776-778; 10 U. S. C. 381, 382, 389, 441)

[SEAL] EDWARD F. WITSELL,
Major General,
The Adjutant General.

[F. R. Doc. 47-53; Filed, Jan. 3, 1947; 8:50 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Civil Air Regs., Amdt. 97-0]

PART 97—RULES OF PRACTICE GOVERNING SAFETY CASES ARISING UNDER SECTIONS 602 AND 609 OF THE CIVIL AERONAUTICS ACT OF 1938, AS AMENDED, AND PETITIONS FOR WAIVERS OF CIVIL AIR REGULATIONS

Correction

In Federal Register Document 46-21433, appearing at page 14257 of the issue for Thursday, December 12, 1946, the following changes are made:

1. Paragraph (c) of § 97.11 should read:

(c) A statement of the action the Administrator requests of the Board, or which the Board proposes to take on its own initiative.

2. Section 97.20, appearing in the third column on page 14259, should be "§ 97.29".

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 5225]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

WILLIAM A. HERMAN

§ 3.55 *Furnishing means and instrumentalities of misrepresentation or deception:* § 3.69 (a) *Misrepresenting oneself and goods—Business status, advantages or connections—Nature, in general:* § 3.72 (n 10) *Offering deceptive inducements to purchase or deal—Terms and conditions:* § 3.96 (b) *Using misleading name—Vendor—Nature, in general.* In connection with the solicitation or obtaining of information in commerce, (1) representing through the use of the trade name "National Estates Research," or any other trade name of similar import or meaning, that persons concerning whom information is sought have, or may have, an interest in some estate, unclaimed asset, or other property, when the information sought is for use in connection with investigations not connected with any interest in an estate, unclaimed asset, or other property; (2) using, or placing in the hands of others for use, form letters or other printed material so worded and designed as to represent or imply that it has been forwarded by some agency engaged in the administration of estates or engaged in locating missing heirs or persons having an interest in some estate, property, or unclaimed asset, or that the information sought to be obtained by such form letters and other printed material is for use in locating such missing heirs or other interested parties, when the information sought is for use in connection with investigations not connected with any interest in an estate, unclaimed asset, or other property; (3) representing in any manner, either directly or by implication, that persons concerning whom information is sought have or may have an interest in some estate, unclaimed asset, or other property, when the information sought is for use in connection with investigation of claims made against casualty or liability insurance companies or other insurers or in connection with investigations of a similar nature; or, (4) representing directly or by implication that respondent is engaged in genealogical research; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U. S. C., sec. 45b) [Cease and desist order William A. Herman, Docket 5225, December 5, 1946]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 5th day of December A. D. 1946.

This proceeding having been heard by the Federal Trade Commission on the complaint of the Commission, answer of the respondent, testimony and other evidence in support of and in opposition to the allegations of said complaint taken before a trial examiner of the Commission theretofore duly designated by it, report of the trial examiner upon the evidence and exceptions filed thereto, and briefs filed in support of the complaint and in opposition thereto; and the Commission having made its findings as to the facts and its conclusion that the respondent has violated the provision of the Federal Trade Commission Act:

It is ordered, That the respondent, William A. Herman, an individual, trading under the name National Estates Research or trading under any other name or names, and his representatives, agents, and employees, directly or through any corporate or other device in connection with the solicitation or obtaining of information in commerce as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Representing through the use of the trade name "National Estates Research," or any other trade name of similar import or meaning, that persons concerning whom information is sought have, or may have, an interest in some estate, unclaimed asset, or other property, when the information sought is for use in connection with investigations not connected with any interest in an estate, unclaimed asset, or other property.

2. Using, or placing in the hands of others for use, form letters or other printed material so worded and designed as to represent or imply that it has been forwarded by some agency engaged in the administration of estates or engaged in locating missing heirs or persons having an interest in some estate, property, or unclaimed asset, or that the information sought to be obtained by such form letters and other printed material is for use in locating such missing heirs or other interested parties, when the information sought is for use in connection with investigations not connected with any interest in an estate, unclaimed asset, or other property.

3. Representing in any manner, either directly or by implication, that persons concerning whom information is sought have or may have an interest in some estate, unclaimed asset, or other property, when the information sought is for use in connection with investigation of claims made against casualty or liability insurance companies or other insurers or in connection with investigations of a similar nature.

4. Representing directly or by implication that respondent is engaged in genealogical research.

It is further ordered, That the respondent shall, within sixty (60) days after service upon him of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which he has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 47-55; Filed, Jan. 3, 1947; 8:48 a. m.]

TITLE 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

PART 240—GENERAL RULES AND REGULATIONS, SECURITIES EXCHANGE ACT OF 1934

EXEMPTION OF CERTAIN SECURITIES

The Securities and Exchange Commission deems it necessary for the exercise of the functions vested in it and necessary and appropriate in the public interest and for the protection of investors to amend § 240.11d1-1 (Rule X-11D1-1) under the Securities Exchange Act of 1934 by adding to the rule the new paragraph (d) set forth below. The amendment operates to grant an exemption, and the Commission finds that notice and public procedure pursuant to section 4 (a) and (b) of the Administrative Procedure Act are unnecessary and that the amendment may be declared effective immediately pursuant to section 4 (c) of that act. *Therefore, it is ordered,* Pursuant to the authority conferred upon the Commission by the Securities Exchange Act of 1934, particularly sections 3 (a) (12), 11 (d) (1) and 23 (a) thereof, that § 240.11d1-1 [Rule X-11D1-1] be amended by substituting a semi-colon and the word "or" for the period at the end of paragraph (c) and adding the following paragraph (d):

§ 240.11d 1-1 *Exemption of certain securities from section 11 (d) (1).* * * *

(d) The security is acquired by the customer through the exercise of a right evidenced by a warrant or certificate expiring within 90 days after issuance, provided such right was originally issued to the customer as a stockholder of the corporation issuing the security upon which credit is to be extended, or as a stockholder of a company distributing such security in order to effectuate the provisions of section 11 of the Public Utility Holding Company Act of 1935. The right shall be deemed to be issued to the customer as a stockholder if he actually owned the stock giving rise to the right when such right accrued, even though such stock was not registered in his name; and in determining such fact the broker and dealer may rely upon a signed statement of the customer which the broker and dealer accepts in good faith. (Secs. 3 (a) (12), 11 (d) (1) and 23 (a) 48 Stat. 882, 891, 901; 15 U. S. C. 78c, 78k, 78w)

Effective: December 30, 1946.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

DECEMBER 27, 1946.

[F. R. Doc. 47-76; Filed. Jan. 3, 1947; 8:47 a. m.]

TITLE 22—FOREIGN RELATIONS

Chapter I—Department of State

Subchapter A—The Department and the Foreign Service

[Dept. Reg. 108.37]

PART 1—ORGANIZATION

ASSISTANT SECRETARY (FOR ADMINISTRATION)

Corrected Reprint

Under authority contained in R. S. 161 (5 U. S. C. 22) and pursuant to section 3 of the Administrative Procedure Act of 1946 (60 Stat. 237), Title 22 of the Code of Federal Regulations is hereby amended as follows:

Section 1.2 (g) (6), as amended by Departmental Regulation 108.31 of November 5, 1946 (11 F. R. 13438), is amended to read:

§ 1.2 *Basic organization of the Department in Washington.* * * *

(g) *Offices of the Department.* * * *

(6) *Under the Assistant Secretary (for Administration).*

Office of Departmental Administration, comprising:

Director, Deputy Director, and Executive Officer;
Division of Management Planning;
Division of Departmental Personnel;
Division of Central Services;
Division of Coordination and Review;
Division of Communications and Records.
Division of Cryptography;
Central Translating Division;
Presentation Division;
Division of Protocol;
Division of International Conferences.

Director General of the Foreign Service:

Deputy Director General of the Foreign Service (The Deputy Director General of the Foreign Service is the Director, Office of the Foreign Service).

Office of the Foreign Service, comprising:

Director, Deputy Director, and Executive Officer;
Corps of Foreign Service Inspectors;
Division of Foreign Service Planning;
Division of Foreign Service Administration;
Division of Foreign Service Personnel;
Division of Training Services;
Division of Foreign Reporting Services;
Division of Foreign Buildings Operations.

Office of Budget and Finance, comprising:

Director, Deputy Director, and Executive Officer;
Division of Budget;
Division of Finance;
UNRRA Division.

Office of Controls, comprising:

Director, Deputy Director, and Executive Officer;
Passport Division;
Visa Division;
Special Projects Division;
Division of Foreign Activity Correlation;
Division of Investigations;
Munitions Division.

This regulation will be effective on the date of its publication in the FEDERAL REGISTER.

(R. S. 161; 5 U. S. C. 22)

Approved: December 30, 1946.

[SEAL] JAMES F. BYRNES, *Secretary of State.*

[F. R. Doc. 46-22074; Filed, Dec. 30, 1946; 11:57 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—Office of Temporary Controls, Civilian Production Administration

AUTHORITY: Regulations in this chapter unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 177, 58 Stat. 827, and Public Laws 270 and 475, 79th Congress; Public Law 388, 79th Congress; E. O. 9024, 7 F. R. 329; E. O. 9040, 7 F. R. 527; E. O. 9125, 7 F. R. 2719; E. O. 9599, 10 F. R. 10155; E. O. 9638, 10 F. R. 12591; C. P. A. Reg. 1, Nov. 5, 1945, 10 F. R. 13714; Housing Expediter's Priorities Order 1, Aug. 27, 1946, 11 F. R. 9507; E. O. 9809, Dec. 12, 1946, 11 F. R. 14281; OTC Reg. 1, 11 F. R. 14311.

PART 903—ORGANIZATION AND DELEGATIONS OF AUTHORITY

[Directive 27, Revocation]

PRIORITIES ACTION BY OFFICE OF INTERNATIONAL TRADE OPERATIONS, DEPARTMENT OF COMMERCE

Section 903.139, Directive 27 is revoked.

Issued this 3d day of January 1947.

L. F. FOSTER,
Director, Bureau of Priorities.

[F. R. Doc. 47-156; Filed, Jan. 3, 1947; 11:26 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-1051, Revocation]

TOM STILL TRANSFER CO., INC., ET AL.

Suspension Order No. S-1051, effective December 26, 1946, was issued against the Tom Still Transfer Company, Inc., Boone Street, Kingsport, Tennessee, and Garland Cassel and William Cassel, doing business as Cassel Brothers, 206 West Sullivan Street, Kingsport, Tennessee, for violation of Veterans' Housing Program Order No. 1. It appears that this order was issued in error as the respondents had received authorization to complete the construction in question. The Chief Compliance Commissioner has therefore directed that Suspension Order No. S-1051 be revoked. In view of the foregoing,

It is hereby ordered, That: § 1010.1051, Suspension Order No. S-1051, be revoked.

Issued this 2d day of January 1947.

CIVILIAN PRODUCTION ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 47-155; Filed, Jan. 3, 1947; 11:26 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-1063]

JAMES CUSANO

James Cusano owns and operates a restaurant and taproom at 8107 Tinnicum Avenue, Philadelphia, Pennsylvania. On or about September 20, 1946, he began construction in altering and erecting an addition to his restaurant and taproom at the above address, at an estimated cost of $8,000, without authorization from the Civilian Production Administration. The beginning and carrying on of this construction, subsequent to March 26, 1946, at an estimated cost in excess of $1,000, constituted a wilful violation of Veterans' Housing Program Order No. 1. This violation has diverted critical materials to uses not authorized by the Civilian Production Administration. In view of the foregoing, it is hereby ordered that:

§ 1010.1063 *Suspension Order No. S-1063.* (a) Neither James Cusano, his successors or assigns, nor any other person shall do any further construction on the premises located at 8107 Tinnicum Avenue, Philadelphia, Pennsylvania, including completing, putting up or altering of any structure located thereon, unless hereafter specifically authorized in writing by the Civilian Production Administration, or any other duly authorized Governmental agency.

(b) James Cusano shall refer to this order in any application or appeal which he may file with the Civilian Production Administration, or any other duly authorized Governmental agency, for authorization to carry on construction.

(c) Nothing contained in this order shall be deemed to relieve James Cusano, his successors or assigns, from any restriction, prohibition, or provision contained in any other order or regulation, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 3d day of January 1947.

CIVILIAN PRODUCTION ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 47-157; Filed, Jan. 3, 1947; 11:26 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-1065]

LOUIS MILLER AND SANTO NASTASI

Louis Miller, of 1375 E. Lafayette Avenue, Detroit, Michigan, and Santo Nastasi, of 2189 Canton Avenue, Detroit, Michigan, on or about September 11, 1946, began and thereafter carried on, without authorization of the Civilian Production Administration, construction of a structure to be used as a grease rack in connection with a gas station, at 1403 East Congress Street, Detroit, Michigan, the estimated cost of which was in excess of $1,000. The beginning and carrying on of this construction without authorization constituted a violation of Veterans' Housing Program Order No. 1. This violation has diverted critical materials to uses not authorized by the Civilian Production Administration. In view of the foregoing, it is hereby ordered that:

§ 1010.1065 *Suspension Order No. S-1065.* (a) Neither Louis Miller nor Santo Nastasi, their successors or assigns, nor any other person shall do any further construction on the structure at 1403 East Congress Street, Detroit, Michigan, including putting up, completing or altering the structure, unless hereafter authorized in writing by the Civilian Production Administration.

(b) Louis Miller and Santo Nastasi shall refer to this order in any application or appeal which they may file with the Civilian Production Administration or the Federal Housing Administration for priorities assistance or for authorization to carry on construction.

(c) Nothing contained in this order shall be deemed to relieve Louis Miller and Santo Nastasi, their successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the Civilian Production Administration, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 3d day of January 1947.

CIVILIAN PRODUCTION ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 47-158; Filed, Jan. 3, 1947; 11:26 a. m.]

Chapter XIX—Reconstruction Finance Corporation

EXPIRATION OF CERTAIN REGULATIONS

Pursuant to the provisions of § 2.21 (b) of the FEDERAL REGISTER regulations, Reconstruction Finance Corporation hereby gives notice of the expiration of the following regulations:

Part 7001—*Petroleum Compensatory Adjustments:* Expired October 31, 1945.

Part 7002—*Butter Production Payments:* Expired October 31, 1945.

Part 7003—*Livestock Slaughter Payments:* Expired June 30, 1946.

Part 7004—*Flour Production Payments:* Expired February 28, 1946.

Part 7005—*Mid-Continent Crude Compensatory Adjustments:* Expired September 30, 1946.

Part 7009—*Flour Production Payments:* Expired June 30, 1946.

Part 7010—*Livestock Slaughter Payments:* Expired October 14, 1946.

The expiration of the above regulations as of the dates listed are without prejudice to any rights or liabilities in connection with matters covered by said regulations which occurred prior to said expiration dates.

RECONSTRUCTION FINANCE CORPORATION.
STUART K. BARNES,
Executive Director,
Office of Defense Supplies.
GEORGE STONER,
Associate Director,
Office of Defense Supplies.

[F. R. Doc. 47-85; Filed, Jan. 3, 1947; 8:59 a. m.]

[Reg. 7,[1] Amdt. 6]

PART 7007—STRIPPER WELL COMPENSATORY ADJUSTMENTS

MISCELLANEOUS AMENDMENTS

1. Section 7007.1 *Definitions*, as amended, is hereby further amended by changing paragraph (j) to read as follows:

§ 7007.1 *Definitions.* * * *

(j) "Premium rate" means, with respect to crude produced from a designated area, the excess of the amount appearing opposite such designated area listed in Schedule A over the larger of the following:

(1) Thirty-five (35) cents; or

(2) The amount by which the applicant's highest posted purchase price, in effect on or after December 1, 1946, for crude produced from such designated area exceeds the basic maximum price therefor.

2. Section 7007.5 *Amount of claims*, as amended, is hereby further amended by changing paragraphs (a) and (c) to read as follows:

§ 7007.5 *Amount of claims.* (a) A claim with respect to the purchase of crude produced from any designated area shall be in an amount equal to the number of barrels of such crude purchased and paid for multiplied by the excess, if any, by which the amount per barrel paid for such crude exceeds the larger of the following:

(1) The basic maximum price therefor plus thirty-five (35) cents, or

(2) The applicant's highest posted purchase price, in effect on or after December 1, 1946, for such crude;

Provided, however, That such claim shall in no event be greater than an amount equal to the number of barrels of such crude purchased and paid for, multiplied by the applicant's premium rate for such crude. Crude for which an applicant is prohibited from paying the purchase price in whole or in part because of inability on the part of applicant to determine the legal owner or owners, or by reason of other legal prohibitions, shall be deemed to have been paid for when there has been recorded in applicant's books a suspense or other account reflecting a liability on the part of applicant for such purchase price which applicant will ultimately pay to the party or parties legally entitled thereto.

* * * * *

(c) Claims with respect to crude produced in any designated area may include only quantities run from receiving tanks on or after the effective date of the inclusion of such designated area in the attached Schedule A: *Provided, however,* That no claim may be filed with respect to crude run from receiving tanks or purchased on or after December 1, 1946, except Pennsylvania Grade Crude.

[1] 10 F. R. 6773, 9718; 11 F. R. 5124, 9079, 9856, 11012.

This Amendment No. 6 shall be effective as of December 1, 1946.

Issued this 31st day of December 1946.

RECONSTRUCTION FINANCE CORPORATION,
By GEORGE STONER,
Associate Director,
Office of Defense Supplies.

[F. R. Doc. 47-84; Filed, Jan. 3, 1947; 8:47 a. m.]

TITLE 48—TERRITORIES AND INSULAR POSSESSIONS

Chapter I—Division of Territories and Island Possessions, Department of the Interior

[Order 2287]

PART 1—ORGANIZATION AND PROCEDURE

Sections 1.1 to 1.5 of Part 1 of Chapter I are revoked, and the following new sections are substituted therefor, to read as follows:

Sec.
1.1 Creation.
1.2 Functions.
1.3 General description.
1.10 Office of the Director and the Assistant Director.
1.11 Legal Branch.
1.12 Alaska Branch.
1.13 Caribbean Branch.
1.14 Pacific Branch.
1.15 Administrative Branch.
1.20 The Alaska Railroad.
1.21 Puerto Rico Reconstruction Administration.
1.22 The Virgin Islands Company.
1.23 Alaska Road Commission.
1.24 Alaska Rural Rehabilitation Corporation.
1.25 Alaska Purchasing and Shipping Office.
1.26 Alaska insane.
1.40 Inquiries and requests in general.
1.50 Location of offices.

AUTHORITY: §§ 1.1 to 1.50, inclusive, issued under Pub. Law 404, 79th Cong.; 60 Stat. 237.

§ 1.1 *Creation.* The Division of Territories and Island Possessions was created by Executive Order No. 6726 of May 29, 1934, which simultaneously transferred to it the functions of the War Department's Bureau of Insular Affairs pertaining to civil government in Puerto Rico. The Department of the Interior already had jurisdiction over Alaska and Hawaii by virtue of the Act of March 1, 1873 (17 Stat. 484, 5 U. S. C. sec. 486) which authorized the Secretary to exercise "all the powers and perform all the duties in relation to the territories of the United States that are now by law or by custom exercised and performed by the Secretary of State," and under which the Department has also been largely responsible for the government of those areas of our western domain which were once territories and have later become States. Administration of the Virgin Islands was transferred from the Navy Department to the Department of Interior by Executive Order No. 5566 of May 27, 1931. In order to concentrate the Department's responsibility for civil government in the territories and possessions in a single division, as well as to formalize in a single document the Division's jurisdiction, the Secretary by Order No. 1040 of February 13, 1936, vested the Division with responsibility for government in Alaska, Hawaii, Puerto Rico and the Virgin Islands, as well as with the administration of a number of activities and enterprises in those areas. The order also provided that all administrative action within the Department pertaining to matters of territorial policy would be subject to approval by the Division.

Subsequently, additional functions over the Virgin Islands were delegated to the Secretary under the Organic Act of the Virgin Islands (49 Stat. 1807, 48 U. S. C. sec. 1405 et seq.). Baker, Howland and Jarvis Islands were placed under the control and jurisdiction of the Secretary by Executive Order No. 7368 of May 13, 1936, and Executive Order No. 7828, of March 3, 1938, placed Canton and Enderbury Islands under the Department's supervision.

§ 1.2 *Functions.* The Division's objective is to encourage each territorial area to develop its resources economically and politically to the end that Federal political guidance and financial assistance may be gradually withdrawn and the territorial areas be enabled increasingly to govern themselves and to provide their own revenues. In carrying out this objective, the Division acts as an intermediary between the territorial areas and the Federal Government and the general public; it scrutinizes the fields of Federal activity within those areas and suggests ways in which overlapping programs may be coordinated; it advises the Secretary on all aspects of territorial problems and policies; it reviews legislation affecting the territorial areas; serves as an information clearinghouse; encourages industrial development; assists the territorial areas in working out plans and policies for a stable economy and a political status satisfactory to its inhabitants; collaborates with the Department of Justice in representing the Government of Puerto Rico in litigation on appeal to Federal courts; and represents the people of the territories and insular possessions in proceedings before various Federal administrative agencies. In addition, the Division supervises a number of enterprises or activities in the territorial areas, including The Alaska Railroad, the Puerto Rico Reconstruction Administration, The Virgin Islands Company, the Alaska Road Commission, the Alaska Rural Rehabilitation Corporation, and the Alaska Purchasing and Shipping Office, and is responsible for the care and maintenance of the Alaska insane.

§ 1.3 *General description.* The organization of the Division of Territories and Island Possessions consists of the Office of the Director and Assistant Director, the Legal Branch, the Alaska Branch, the Caribbean Branch, the Pacific Branch and the Administrative Branch, all located in Washington. In addition, offices of the Division which handle the Puerto Rico Reconstruction Administration and The Virgin Islands Company are located in Washington. Outside of Washington the Division is represented by the Offices

of the Governors of the various territorial areas and of the territorial enterprises or activities under the administration of the Division. The Division is a program staff office of the Office of the Secretary of the Interior. (See 43 CFR 01.21 (b).)

§ 1.10 *Office of the Director and the Assistant Director.* The Office of the Director develops, interprets and implements national policy on territorial affairs. It establishes standards and develops integrated programs designed to accomplish its objectives. The Director has overall responsibility for and control over all functions and activities of the Division. The Assistant Director serves as Acting Director in the absence of the Director, and is responsible for such duties as are assigned to him by the Director.

§ 1.11 *Legal Branch.* The legal work of the Division is handled by the Legal Branch under the direction of a Chief Counsel. The work of the Legal Branch includes the drafting and review of legislation affecting the territorial areas, litigation, conferences and correspondence with general counsels of other Federal bureaus and agencies, preparation of opinions and memoranda, appearances before administrative boards, and performance of miscellaneous legal services for the various Federal agencies or corporations operating in the territorial areas under the administration of the Division. The Chief Counsel collaborates with the Department of Justice in representing the Government of Puerto Rico before the Circuit Court of Appeals for the First Circuit and the Supreme Court of the United States in all matters in which the Government of Puerto Rico has an interest, and also represents the people of the territories and insular possessions before Federal administrative agencies.

§ 1.12 *Alaska Branch.* The Alaska Branch works closely with all Federal agencies functioning in Alaska, with territorial officials and with all Interior agencies in Alaska in making plans to encourage colonization and settlement. It assists in the preparation of the Territory for statehood, as well as in programs for the development of the Territory's fishing, mineral, timber and agricultural resources; for the encouragement of locally-owned business enterprises and the broadening of the Territory's economic base through new sources of income, and for the development of sufficient transportation and communication facilities at rates low enough to appeal to prospective businessmen and settlers. The Branch supervises The Alaska Railroad, the Alaska Rural Rehabilitation Corporation and the Alaska Road Commission, and is responsible for the care of the Alaska insane. It also supplies information about Alaska on such varied subjects as the cost of living, employment opportunities, methods of acquiring land and prospecting opportunities.

§ 1.13 *Caribbean Branch.* Puerto Rico and the Virgin Islands are handled by one branch, the Caribbean Branch, because of their geographical proximity and the similarity of their major economic problems. The Branch assists the local governments in programs designed to give employment and to explore and develop agricultural and industrial resources to the fullest extent; acts as liaison between the islands and other Federal agencies; encourages and assists private enterprise plans; and recommends policy with respect to the working out of permanent political status. The Branch is responsible for the coordination of the functions and policies of Federal civil agencies in Puerto Rico and the Virgin Islands. (See Executive Order No. 9383 of October 5, 1943 (48 CFR, 1944 Supp., p. 44).) The activities of the Puerto Rico Reconstruction Administration are under the supervision of the Branch. The Branch also supervises the operation of The Virgin Islands Company, which operates certain properties of the United States in St. Croix, and the maintenance of Bluebeard's Castle Hotel in St. Thomas, owned by the Federal Government and now leased to a private operator.

§ 1.14 *Pacific Branch.* The Pacific Branch has the responsibility for carrying out national policy with respect to Hawaii and the Pacific islands under Interior's jurisdiction (Howland, Baker and Jarvis Islands, as well as Canton and Enderbury which are both under the joint administration of the United States and Great Britain). The Branch assists in the work of representing Hawaii's interests before the Congress and other government agencies as well as in preparing the Territory for statehood. The Branch also recommends programs and policies for civil administration in the Equatorial Islands already under the administration of the Department; furnishes information concerning all aspects of the culture and resources of Pacific islands under Interior's jurisdiction; and assists the territorial governments and private groups in the formulation and carrying out of programs designed to promote closer cultural, political and economic ties with the mainland United States.

§ 1.15 *Administrative Branch.* The Administrative Branch handles the administrative work of the Division as well as administrative operations in the territories and possessions, including the Government of the Virgin Islands; the Offices of the Governors of Alaska and Hawaii; The Alaska Railroad; the Alaska Road Commission; the Alaska Purchasing and Shipping Office; the Puerto Rico Reconstruction Administration; and The Virgin Islands Company. This involves the review and consolidation of budget estimates for these activities as well as a large volume of personnel work in connection with approximately 3,600 positions. It maintains records on the appropriation for the care and maintenance of Alaskan insane patients at Morningside Hospital, Portland, Oregon, and is accountable for the deposit of funds which relatives or guardians of the patients contribute to the cost of their care under an administrative order of the Secretary of the Interior. It reviews accounts of certifying and disbursing officers handling funds appropriated for "Government in the Territories," and is responsible for the transfer of funds to field disbursing officers.

§ 1.20 *The Alaska Railroad.* The Division supervises the operation of The Alaska Railroad which operates a railroad line, river boats and tourist hotels in Alaska. Under the direction of the Director or the Assistant Director, the Alaska Branch, the Administrative Branch and the Legal Branch of the Division in Washington review the reports and other materials submitted by the Railroad, prepare and review legislation affecting the Railroad, and perform various other administrative and legal services. The General Manager in Anchorage, Alaska, is in direct charge of the operation of the Railroad in the Territory. (See 48 CFR Ch. IV.)

§ 1.21 *Puerto Rico Reconstruction Administration.* The Director of the Divison serves as Administrator of the Puerto Rico Reconstruction Administration, which operates various housing, cooperative and related projects in Puerto Rico for the primary purpose of rehabilitating the agricultural economy of the Islands. The Director is in direct charge of the handling of all affairs of the Administration in Washington. The activities of the Administration in Puerto Rico are administered by the Assistant Administrator at San Juan, Puerto Rico. (See 48 CFR Ch. II.)

§ 1.22 *The Virgin Islands Company.* Under the supervision of the Director, as Managing Director of the Company, the Caribbean Branch, the Administrative Branch and the Legal Branch of the Division perform various services for The Virgin Islands Company, a non-profit corporation which operates Federal properties in the Islands for the purpose of improving economic conditions there. The President of the Company maintains his office in the Virgin Islands and directs the operation of the Federal properties there. The Vice President of the Company divides his time between the Washington office and the Virgin Islands, and together with the branches of the Division concerned is responsible for representing the Company in its fiscal, budgetary, legislative and personnel affairs in Washington. (See 48 CFR Ch. III.)

§ 1.23 *Alaska Bond Commission.* The Division of Territories and Island Possessions has general supervision over the activities and administrative functions of the Alaska Road Commission pertaining to the construction, repair and maintenance of roads, landing fields, tramways, ferries, bridges and trails in Alaska. A Chief Engineer with offices in Juneau, Alaska, is in immediate charge of the activities of the Commission. Rules and regulations governing the use of roads, trails and other works, including the fixing and collecting of tolls are recommended by the Commission for issuance by the Secretary of the Interior with the approval of the President. (Sec. 3, 47 Stat. 447; 48 U. S. C. 321 (b).)

§ 1.24 *Alaska Rural Rehabilitation Corporation.* The Alaska Rural Re-

habilitation Corporation was organized in 1935, under the laws of the Territory of Alaska, as a non-profit corporation to undertake a program of agricultural colonization in Alaska. It was sponsored by the Federal Emergency Relief Administration and financed by grants of funds from that agency which were used in the settlement of an agricultural colony in the Matanuska Valley region. Since the expiration of the Federal Emergency Relief Administration in 1938, the Department of the Interior has exercised general supervision of the activities of the Corporation. The general supervision exercised by the Department is maintained by holding in trust the nine shares of stock which are made out to the current directors and assigned in blank. The Department is represented on the nine-man board by several officials and the Director of the Division of Territories and Island Possessions serves as President of the Corporation.

§ 1.25 *Alaska Purchasing and Shipping Office.* The Alaska Purchasing and Shipping Office of the Department of the Interior is located in Seattle, Washington, and is under the general supervision of the Division of Territories and Island Possessions. This office purchases supplies for The Alaska Railroad and other agencies of the Federal Government in Alaska, and ships such supplies from point of origin to destination in Alaska. It also acts as agent for the native cooperative stores, buying their supplies, and selling for their benefit such items as reindeer meat and hides, furs and ivories.

§ 1.26 *Alaska insane.* The Division of Territories and Island Possessions has general responsibility for the care and custody of persons legally adjudged insane in Alaska in accordance with the act of October 14, 1942 (56 Stat. 783; 48 U. S. C., Supp. 46).

In the exercise of its functions with respect to the care and custody of Alaskan insane patients, the Division makes recommendations to the Secretary of the Interior as to the making of contracts with institutions for the care of such insane patients. The Division ascertains the legal residence of Alaskan insane patients and recommends to the Secretary of the Interior the return of those who are not legal residents of Alaska to their legal residence or to their friends. The Division also recommends to the Secretary the manner and proportions in which an insane patient, or his legal representative, or relatives, must contribute to the payment of the charges for the care or treatment of such insane patients and makes investigations to determine the ability of such persons to make such payments.

§ 1.40 *Inquiries and requests in general.* Information concerning the policies, programs and activities of the Division may be secured by addressing the Division of Territories and Island Possessions, Department of the Interior, Washington 25, D. C.

§ 1.50 *Location of offices*—(a) *Washington, D. C. Offices.* The offices of the Director, Assistant Director and Branch Chiefs of the Division are located in the Department of the Interior, Washington 25, D. C.

(b) *Other offices.* The locations of other offices are as follows:

Governor of Alaska, Juneau, Alaska.
Governor of Hawaii, Honolulu, Hawaii.
Governor of Puerto Rico, San Juan, Puerto Rico.
Governor of the Virgin Islands, Charlotte Amalie, St. Thomas, Virgin Islands.
The Alaska Railroad, Anchorage, Alaska.
Alaska Purchasing and Shipping Office, 510 Virginia Street, Seattle, Washington.
Puerto Rico Reconstruction Administration, San Juan, Puerto Rico.
Alaska Road Commission, Juneau, Alaska.
The Virgin Islands Company, Christiansted, St. Croix, Virgin Islands.

J. A. KRUG,
Secretary of the Interior.

DECEMBER 27, 1946.

[F. R. Doc. 47-54; Filed, Jan. 3, 1947; 8:50 a. m.]

PROPOSED RULE MAKING

FEDERAL SECURITY AGENCY

Food and Drug Administration

[21 CFR Part 15]

[Docket No. FDC-44]

CORN MEALS AND RELATED PRODUCTS; DEFINITIONS AND STANDARDS OF IDENTITY

TENTATIVE ORDER

Definitions and Standards of Identity for white corn meal, yellow corn meal, bolted white corn meal, bolted yellow corn meal, degerminated white corn meal, degermed white corn meal, degerminated yellow corn meal, degermed yellow corn meal, white corn flour, yellow corn flour, grits, corn grits, hominy grits, yellow grits, yellow corn grits, yellow hominy grits, enriched corn meals, and enriched grits.

Tentative order. It is proposed that, by virtue of the authority vested in the Federal Security Administrator by the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 401, 701; 52 Stat. 1046, 1055; 21 U. S. C. 341, 371); and upon the basis of substantial evidence of record at the public hearing held pursuant to the notice issued on February 11, 1946 (11 F. R. 1600), the following order be made:

Findings of fact.[1] 1. The corn used in making corn meals, grits, and corn flours is either of the white or the yellow variety. The corn kernel of each variety consists of (1) the endosperm which is starchy, (2) the germ which is rich in fatty oil, and (3) the bran coat which contains a high percentage of crude fiber. There is no essential difference in the chemical composition of white and yellow corn except for the presence in yellow corn of yellow coloring matter. The quantity of fat and crude fiber in products made by grinding white or yellow corn is a measure of the germ and bran present. (R. 479, 483, 484, 485, 520, 1224)

2. In preparing corn meals, grits, and corn flours, the corn is first cleansed to remove foreign grains and other extraneous matter. (R. 471, 508, 650)

3. Corn meals, grits, and corn flours are prepared by grinding corn to a desired degree of fineness, and it is the degree of fineness together with the extent of the removal of the bran coat and germ that provide the prime characteristics of identity to these several foods. Grits are the coarsest ground, corn meals are the next in fineness, and corn flours are the most finely ground. (R. 475)

4. When the entire corn kernel is ground to the fineness of meal, a food is produced which long has been known as "corn meal" with the descriptive words "white" or "yellow" according to the variety of corn used. This corn meal sometimes is called "old fashioned", "stone ground", "water ground", but the significance of these modifying designations is not generally understood. (R. 472, 479, 481-482)

5. When a substantial portion of the bran is removed, but only a small portion of the germ is taken away, the resultant corn meal is commonly known as "bolted white corn meal" or "bolted yellow corn meal", according to the variety of corn used. (R. 479, 495, 482, 523, 649)

6. When most of the bran and germ are removed, and the remainder of the corn kernel reduced to meal fineness, the resultant food is commonly known as "degerminated white corn meal" or "degerminated yellow corn meal" according to the variety of corn used, although a more accurate designation is "degermed corn meal". This food sometimes is called "cream meal", "pearl meal" or "granulated meal", but these terms are applicable only to special types of degerminated corn meal. (R. 479, 483, 533, 534, 649)

7. Though the three types of meal, viz, corn meal, bolted corn meal, and degerminated corn meal, are well recognized in the trade, the names "corn meal", "bolted corn meal" and "degerminated corn meal" are often applied interchangeably on retail packages, degerminated products being called "corn meal" or "bolted corn meal", bolted products being called "corn meal", or "degerminated corn meal" and "corn meal" being called "bolted corn meal" and "degerminated corn meal". The three types differ in cooking and eating qualities and in their content of certain nutrients. (R. 466, 472, 478, 479, 481, 532, 1077-1078, 1224)

8. In grinding the corn kernel to produce a corn meal of the whole grain type,

[1] The page references to certain relevant portions of the record are for the convenience of the reader. However, the findings of fact are not based solely on that portion of the record to which reference is made but upon consideration of all the evidence of record.

many mills remove from such meal small amounts of coarse material consisting of large flakes of bran and pieces of corn, particularly the tip of the kernel, which have not been finely ground. Some mills separate and grind separately different parts of the corn kernel and then recombine the ground materials to make this type of meal. Excessive removal of the bran coat or germ will change the food to a different type of corn meal. Mixtures containing abnormally high proportions of bran or germ or both do not have the characteristics of corn meal. Such mixtures are not desired by consumers and their sale is likely to result in consumer deception. (R. 471, 473, 545, 621, 1144)

9. Corn meals made by simply grinding cleaned corn have the same proportions of bran and germ, and so of crude fiber and fat, as has the cleaned corn from which they are made. As bran is removed the percentage of crude fiber decreases. A reasonable dividing line between corn meals and bolted corn meals based on crude fiber content is 1.2 percent of crude fiber on the moisture free basis. The germ content, and so the fat content, of corn meal made by recombining ingredients may differ slightly from that of the cleaned corn from which they are made, but reasonable variations in germ content will not cause a change in fat content of more than 0.3 percent. The removal of particles of corn which escape grinding, together with flattened pieces of bran, cause a slight lowering of the crude fiber content, but have little effect on fat content. Unless there is a deliberate addition of excess bran the crude fiber content of corn meals will not exceed that of the cleaned corn from which the meals are made. (R. 517–518, 521, 536–537, Ex. 20, 24, 61)

10. Bolted corn meals may be prepared either by bolting whole grain corn meals to remove bran particles; or by grinding and separating the corn into portions which are then ground separately and combined so as to include appropriate portions of ground endosperm and germ. As a result of the removal of bran, bolted corn meals contain, on the moisture free basis, less than 1.2 percent crude fiber. Small amounts of germ may be lost when the bran particles are sifted out, and the amount of germ returned in recombining ground portions may differ somewhat from the amount of germ in the cleaned corn from which ground, but the fat content, on the moisture free basis, does not exceed by more than 0.3 percent the fat content of such corn, nor is such fat content less than 2.25 percent. (R. 472, 476, 495, 499, 502, 523–524, 528, 530, 536, 655, 1179, 1182; Ex. 21, 23, 61)

11. Degerminated corn meals are distinguished from corn meals and bolted corn meals by the removal of both bran and germ in the process of manufacture. This results in low fat and low crude fiber content. Properly made, degerminated corn meals contain, on the moisture free basis, less than 1.2 percent crude fiber and less than 2.25 percent fat. (R. 459–463, 473, 474; Ex. 22, 23)

12. Grits are made by coarsely grinding the endosperm of white or yellow corn from which most of the bran and germ have been separated, and screening out meal and flour. Most grits are milled from white corn and the unqualified name "grits" means white grits. The names "hominy grits" and "corn grits" are synonymous with grits. The common name of the corresponding food made from yellow corn is "yellow grits" or "yellow hominy grits" or "yellow corn grits". The removal of bran and germ is such that, on the moisture free basis, the crude fiber content is less than 1.2 percent and the fat content is less than 2.25 percent. The significant difference between grits and degermed corn meals is the particle size. (R. 459, 474, 477, 536, 555, 558, 563; Ex. 27, 28)

13. Corn flours are the foods prepared by grinding and bolting white or yellow corn to a fineness which approximates that of wheat flour. They may be made from the entire corn kernel or proportions of bran and germ may be removed in milling. Corn flours are seldom sold for household use but are used mainly as one of the ingredients of such foods as waffle, pancake and muffin mixes, and some types of breakfast foods. It is not now customary to distinguish between corn flours of varying bran and germ content so long as their bran and germ content, and therefore their fat and crude fiber content, do not exceed the fat and crude fiber content of the cleaned corn from which made. The comparison is made on the moisture-free basis. (R. 475, 477, 548, 549, 550, 553, 1118, 1119; Ex. 26)

14. The moisture content of corn meals, grits, and corn flours, affects the properties and value to consumers of these foods. Excessive moisture renders these foods susceptible to early spoilage, this being particularly true of products containing all the corn germ, and is of no value to consumers. The sale of corn meals, grits, and corn flours of higher than normal moisture content amounts to sale of water at corn product prices and is an economic cheat. (R. 506, 514, 515, 539, 562, 590, 650)

15. In the manufacture of grits and degerminated corn meals, it is customary to soften the corn by tempering with hot water, but to remove the excess moisture by drying at a later stage in the mailing process. The moisture content of these foods after such drying does not exceed 15 percent. When corn meals are made by grinding whole corn, it is customary to use reasonably dry corn. As a result, the moisture content of corn meals, and also of bolted corn meals prepared by bolting to remove the bran, can be kept below 15 percent. (R. 308, 309, 457, 458–461, 472, 476, 506, 507, 514, 525, 500, 650, 1179, 1182, 1191; Ex. 20, 21, 22, 23, 24, 25, 26, 27, 28, 61)

16. Accurate methods of analysis in general use for the determination of moisture, fat, and crude fiber in corn meals, bolted corn meals, degerminated corn meal, grits, and corn flours are those of the Association of Official Agricultural Chemists, published in the sixth edition, Official and Tentative Methods of Analysis of the Association of Official Agricultural Chemists. The method for moisture appears on page 259 under sections 20.70 and 20.71, for fat on pages 259 and 260 under sections 20.70 and 20.73, for crude fiber on pages 259 and 260 under sections 20.70 and 20.74. (R. 519, 520, 551, 563, 651, 661)

17. A simple method for determining the relative size of the particles of corn meals, bolted corn meals, degerminated corn meals, and grits is to separate them by means of sieves with openings of appropriate size. (R. 594–595, 598–599, 652, 661)

18. Particles of grits are of such size that not less than 95 percent will pass through a No. 10 standard sieve[2] and most of those passing the No. 10 sieve will be retained on a No. 25 standard sieve. Particles passing through the No. 25 sieve are of the fineness of meal, but their complete exclusion from grits is impracticable. A limit on the amount of particles of meal size is necessary to maintain the identity of grits as differentiated from a corn meal. A reasonable limit on the proportion of particles in grits which will pass through a No. 25 sieve is 20 percent. (R. 459, 474, 554, 1127; Ex. 27, 28, 57, 59)

19. Corn meals, bolted corn meals, and degerminated corn meals are composed of particles most of which are smaller than the particles of grits, that is, they will pass through a No. 25 standard sieve. Because the process of grinding is inexact insofar as the size of particles resulting therefrom is concerned, corn meals of all types may, and usually do, contain some particles of somewhat larger size comparable to grits, and also some quite small particles, comparable to flour. This is particularly true of corn meals ground between stones. Where 45 percent or more by weight of corn meals, bolted corn meals, or degerminated corn meals, passes through a No. 25 standard sieve, the food has a characterizing mealy consistency. An excessive amount of corn flour in any type of corn meal makes it unsatisfactory for meal uses. Particles which pass through a No. 72 XXX grits gauze are of the fineness of corn flour. The openings in a No. 72 grits gauze are of essentially the same size as those of a No. 70 woven wire cloth as defined by the U. S. Bureau of Standards in L. C. 584. Reasonable limits on the amounts of material in corn meals, bolted corn meals, and degerminated corn meals which will pass through a No. 72 XXX grits gauze are 35, 25, and 25 percent, respectively. (R. 300, 306, 475, 489, 513, 649, 1148; Ex. 20, 21, 22, 56, 58, 61)

20. Corn meals of the whole grain type often contain quantities of particles, particularly of bran, somewhat larger than those forming bolted and degerminated meals. Not less than 95 percent by weight of bolted corn meals and degerminated corn meals will pass through a No. 20 standard sieve; but in the case of corn meals of the whole grain type not less than 95 percent by weight will pass through a No. 12 standard sieve. (R. 512, 513, 1147; Ex. 56, 58)

[2] All sieves mentioned in these findings, unless otherwise noted, are 8 inches in diameter with full height frames and comply with specifications for sieve of the number indicated, published by the National Bureau of Standards, U. S. Department of Commerce, in L. C. 584.

21. For the purpose of testing corn meals, bolted corn meals, degerminated corn meals, and grits for particle size, reasonably accurate results are obtained by the following procedure which may be applied easily. Fit the sieves to be used into one another, placing the sieve with largest openings on top, the one with the next largest openings following, and attaching a bottom pan to the last sieve. All sieves should be 8 inches in diameter with full height frames and comply with specifications for sieves of the designated size in "Standard Specifications for Sieves", published March 1, 1940, in L. C. 584, of the Bureau of Standards, U. S. Department of Commerce. Place a sample of 100 grams of corn meal, bolted corn meal, degerminated corn meal, or grits to be tested on the top sieve, attach a cover, hold the assembly of sieves in a slightly inclined position, and shake by striking the sides against one hand with an upward stroke, at the rate of about 150 times per minute, turning the assembly of sieves about ⅙ of a revolution, each time in the same direction, after each 25 strokes. Continue shaking for two minutes. Remove the material remaining on the sieves and in the pan, weigh separately, and make the calculations. Sometimes when meals are tested fine particles clog the sieve openings. If any sieve is clogged by fine material smaller than its openings, empty the contents onto a piece of paper. Remove the entrapped material on the bottom of the sieve by a hair brush and add to the sieve below. In like manner, clean the adhering material from inside the sieve and add to the material on the paper. Return mixture to the sieve, reassemble the sieves, and shake in the same manner as before for 1 minute. Repeat cleaning procedure if necessary until a 5 gram or less weight loss occurs in any sieve during a 1 minute shaking. (R. 652, 673, 1185, 1186, 1187; Ex. 32)

22. The particles of corn flours are of such fineness that at least 50 percent by weight will pass through No. 70 woven wire cloth, having openings of the size prescribed for such cloth by the Bureau of Standards, U. S. Department of Commerce, in L. C. 584. Many corn flours also contain particles of somewhat larger size but at least 98 percent by weight of any properly milled corn flour will pass through a No. 50 sieve. Corn flours give trouble when tested by the method described in finding 21 and a change in procedure is necessary. The following method is easily applied and gives reasonably accurate results. Weigh 5 grams of sample into a tared truncated metal cone (top diameter 5 centimeters, bottom diameter 2 centimeters, height 4 centimeters), fitted at bottom with 70-mesh wire cloth complying with the specifications for No. 70 wire cloth in "Standard Specifications for Sieves", published March 1, 1940 in L. C. 584 of the Bureau of Standards, U. S. Department of Commerce. Attach cone to a suction flask. Wash with 150 ml of petroleum ether applied in a small stream without suction, while gently stirring the sample with a small glass rod. Apply suction for 2 minutes after washing is completed, then shake the cone for 2 minutes with a vigorous horizontal motion, striking the side against the hand, and then weigh. The decrease in weight of sample, calculated as percent by weight of sample shall be considered the percent passing through No. 70 wire cloth. Transfer the residue from cone to a No. 50 sieve having a standard 8-inch diameter full height frame, complying with the specifications for wire cloth and sieve frame in said "Standard Specifications for Sieves". Shake for 2 minutes with a vigorous horizontal motion, striking the side against the hand; remove and weigh the residue; calculate the weight of residue as percent by weight of sample, and subtract from 100 percent to obtain the percent of sample passing through the No. 50 sieve. (R. 549, 550–552, 1188; Ex. 25, 25A, 26, 26A)

23. A number of manufacturers of corn meals, grits, and corn flours offered affidavits which were similar and in some instances identical in language and form stating that in order to be sure that their products would comply with the standards suggested in the notice of hearing, it would be necessary for them to take elaborate precautions to test each lot before shipment necessitating considerable additional expenditures. No recommendations for changes in the suggested standards were made. This general apprehension was inspired by representations made by some members of the American Corn Millers Federation at meetings of corn millers called for the purpose of discussing the suggested standards. Witnesses presented by the Federation failed to supply substantial evidence that compliance with the proposed standards would necessitate elaborate precaution or would impose any unreasonable burden. (R. 1028–1030, 1035–1040, Ex. 44, 48–54, 63–113)

24. While it is true that small mills do not maintain chemical laboratories for the determination of moisture, fat and crude fiber, the many analyses reported of products of small mills demonstrate that the limits proposed are almost universally met in present practice. No showing was made that the conditions revealed by such analyses were at all unusual. (Ex. 20–29, 61)

25. The advisory standards and other specifications for various corn meals have contained for many years moisture limits as low as, and in some cases lower than, 15 percent. Other industries have had little trouble complying with limits on food constituents similar in kind to those involved in this proposed order. The requirements proposed for particle size have been tested on many samples and are reasonable. Though given ample opportunity to subject the proposed limits to tests, the interested industry presented no data to indicate that the proposed limits were unreasonable. (R. 458–461, 1064–1077, 1163; Ex. 56–59)

26. In order to improve the general nutritive properties of the diets of their citizens, the States of North Carolina, South Carolina, Georgia, Alabama, and Mississippi have within the last few years adopted laws requiring that corn meals and grits from which a certain part of the germ of the corn has been removed, be enriched with certain vitamins and iron before sale in those States. The requirements of these States as to the minimum and maximum quantities of vitamins and iron required in such corn meals and grits after enrichment are shown in tabular form as follows:

State	Thiamine		Niacin	
	Not less than mg/lb	Not more than mg/lb	Not less than mg/lb	Not more than mg/lb
Alabama	1.5	3.0	16	32
Georgia	2.0	-------	16	-------
Mississippi	2.0	-------	16	-------
North Carolina:				
Law	2.0	2.5	16	20
Regulation	1.5	3.0	16	32
South Carolina	1.5	3.0	16	32

State	Riboflavin		Iron	
	Not less than mg/lb	Not more than mg/lb	Not less than mg/lb	Not more than mg/lb
Alabama	-------	-------	13	26
Georgia	1.2	-------	13	-------
Mississippi	1.2	-------	13	-------
North Carolina:				
Law	1.2	1.5	13	16.5
Regulation	0	0	13	26
South Carolina	-------	-------	13	26

(R. 50, 51, 56, 79, 145, 146, 153, 154, 264, 268, 336, 379; Ex. 2, 7, 9)

27. Pending the promulgation of standards for such enriched foods under the Federal Food, Drug, and Cosmetic Act, the requirements of which will become also the state requirements under provisions of the several laws, Georgia, Mississippi, and North Carolina have tolerated the lower requirements of the standards of South Carolina and Alabama. Following the promulgation of federal standards, all of these states will have uniform requirements. (R. 271, 380–381; Ex. 7)

28. Corn meals of various kinds, supplemented by grits, together with wheat flour constitute the main source of energy foods for large numbers of consumers in those states now having compulsory enrichment laws for corn meals and grits, and in adjacent states in the southeastern part of the United States. The corn meals, grits and wheat flour are used to supply essentially the same nutrients, and to a large extent are used interchangeably. (R. 41, 73, 95, 102, 103, 104, 189, 246, 278, 374, 377, 886, 887, 888; Ex. 5, 9, 42)

29. Recent dietary surveys in states where large amounts of corn meals of various types are consumed have uniformly shown that the diets of persons in the low income brackets are often deficient in thiamine, riboflavin, niacin, and iron. Pellagra, a dietary deficiency disease that can be prevented by a sufficient intake of niacin, was common in many such areas. Clinical evidences of riboflavin deficiencies have also been frequently reported. Dietary deficiencies do not often occur singly, but persons deficient in one of the nutrients are likely to be deficient also in the other three. (R. 39, 42, 49, 74, 75, 89, 96, 101, 105, 238, 239, 276, 277, 280, 281, 292, 373, 374, 376, 886–887, 999, 1091–1092, 1222–1227; Ex. 9, 42)

30. Due to the similarity in the dietary use of flour, corn meals of various types, and grits, and also in view of the understanding consumers have acquired with respect to the term "enriched" by reason of the program of consumer education carried out in connection with enriched flour and enriched bread, enriched corn meals and enriched grits should supply the amounts of thiamine, niacin, riboflavin, and iron now furnished by enriched flour; that is, thiamine not less than 2.0 mg. per pound, riboflavin, not less than 1.2 mg. per pound, niacin, not less than 16.0 mg. per pound, and iron, not less than 13.0 mg. per pound. If some of these nutrients are not included in enriched corn meals and enriched grits, or if they are added in lesser amounts than prescribed by the definition and standard of identity for enriched flour, consumers are likely to be confused and deceived as to the nutritive value of the enriched corn products. Maximum limits are also needed to prevent unreasonably large additions of these nutrients which may give rise to confusion as to the relative value of different "enriched" corn products and may result in merchandizing claims that are not warranted by the facts. Maximum limits 50 percent more than the minimum will accomplish this and are reasonable for this purpose, except in the case of iron. Here the maximum should be twice the minimum. (R. 43, 46, 47, 48, 60, 63, 64, 68, 69, 70, 71, 72, 73, 76, 82, 83, 84, 265, 271, 281, 381; Ex. 4, 5, 9)

31. In enriching corn meals and grits it is customary to add the enriching ingredients to each of the different types of corn meals and grits described in findings 4, 5, 6, and 12. The enriched foods vary from each other in their physical character and in eating quality in the same way as do the basic foods before enrichment. To distinguish properly between the different types each should be designated by its common name to which is added the word "Enriched". R. 65, 70, 232, 567; Ex. 9)

32. Grits are often washed before cooking and the wash water discarded, thus causing a substantial loss of water-soluble substances present. If the water-soluble vitamins and water-soluble salts of iron are added only in amounts necessary to meet the minimum requirement of the standard for enriched grits, without precautions against loss in rinsing, the food will lose a considerable portion of these nutrients before consumption. It is possible to add the required nutrients in ways that will partially protect them from loss by solution in rinsing water. Loss to the consumer can be prevented by the addition of the water-soluble nutrients in excess of the minimum requirements or by use of assimilable water-insoluble forms of the nutrients. For consumer protection it is reasonable to require that enriched grits contain after washing in a prescribed manner which simulates the washing practiced in the home, not less than 85 percent of the minimum amounts of thiamine, riboflavin, niacin and iron prescribed by the standard for enriched grits. The 15 percent loss is the approximate loss of niacin, the vitamin most susceptible to rinsing loss, from unenriched grits upon washing. (R. 72, 77, 129, 159, 188, 417, 418, 419, 421, 422, 920–929, 937–940; Ex. 9, 18, 19, 43)

33. A satisfactory method for testing grits after a preliminary washing, which simulates household washing, is as follows:

Transfer 100 grams of enriched grits to a 2-liter Erlenmeyer flask containing 1 liter of water at 25° C. Stopper the flask and rotate it for ½ minute so that the grits are kept in motion. Allow the grits to settle for ½ minute, then pour off 850 cc of the water along with any floating or suspended matter. Determine thiamine, riboflavin, niacin and iron in the wet grits and water remaining in the flask. Calculate as mg. per pound of the grits before rinsing. (R. 436, 1116; Ex. 18, 19, 46, 55)

34. The bulk of the vitamins and iron added to corn meals, bolted corn meals, degerminated corn meals, and grits, is so small that it is necessary to use a carrier to insure their intimate and uniform distribution. The vitamins are added in pure synthetic form. Iron is added as metallic iron reduced to a fine powder or as assimilable salts of iron. Many harmless substances which will not impair these foods are available for use as carriers. The amount of carrier added should not be more than necessary to insure a uniform distribution of the vitamins and iron. Dried yeast in amounts not exceeding 1.5 percent is suitable for the purpose and it also imparts small amounts of additional nutrients. (R. 119, 121, 122, 331, 332, 334, 348, 368, 369, 371, 386, 387, 388, 389, 390, 567; Ex. 9)

35. Vitamin D and harmless compounds of calcium are optional ingredients of enriched flour. Due to the similarity in dietary use between enriched flour and the various enriched corn meals and enriched grits, it is reasonable to include vitamin D and calcium as optional ingredients in enriched corn meals, enriched bolted corn meals, enriched degerminated corn meals, and enriched grits, under the same conditions prescribed for optional use of these ingredients in the definition and standard of identity for enriched flour. (R. 76, 77; Ex. 5, 9)

36. Foods known as self-rising corn meals are manufactured and sold in limited amounts. They are prepared by adding leavening agents to a corn meal, bolted corn meal, or degerminated corn meal. Self-rising corn meals may be enriched in the same manner as corn meals. There is insufficient evidence on which to formulate definitions and standards of identity for self-rising corn meals or enriched self-rising corn meals. (R. 1012, 1118, 1149, 1150, 1151, 1152, 1153, 1187, 1188)

Conclusion. On the basis of the evidence of record and the foregoing findings of fact, it is concluded that the following regulations fixing and establishing reasonable definitions and standards of identity for white corn meal, yellow corn meal, bolted white corn meal, bolted yellow corn meal, degerminated white corn meal, degermed white corn meal, degerminated yellow corn meal, degermed yellow corn meal, white corn flour, yellow corn flour, grits, corn grits, hominy grits, yellow grits, yellow corn grits, yellow hominy grits, enriched corn meals, and enriched corn grits will promote honesty and fair dealing in the interest of consumers.

It is ordered, That there be established definitions and standards of identity as follows:

§ 15.500 *White corn meal; identity.* (a) White corn meal is the food prepared by so grinding cleaned white corn that when tested by the method prescribed in paragraph (b) (2) of this section not less than 95 percent passes through a No. 12 sieve, not less than 45 percent through a No. 25 sieve, but not more than 35 percent through a No. 72 grits gauze. Its moisture content is not more than 15 percent. In its preparation coarse particles of the ground corn may be separated and discarded, or reground and recombined with all or part of the material from which they were separated, but in any such case the crude fiber content of the finished corn meal is not less than 1.2 percent and not more than that of the cleaned corn from which it was ground, and its fat content does not differ more than 0.3 percent from that of such corn. The contents of crude fiber and fat in all the foregoing provisions relating thereto are on a moisture-free basis.

(b) (1) For the purposes of this section moisture is determined by the method prescribed in "Official and Tentative Methods of Analysis of the Association of Official Agricultural Chemists", 6th edition, page 259, sections 20.70 and 20.71; fat is determined by the method prescribed on pages 259 and 260, sections 20.70 and 20.73; and crude fiber determined by the method prescribed on pages 259 and 360, sections 20.70 and 20.74.

(2) The method referred to in paragraph (a) of this section is as follows:

Use No. 12 and No. 25 sieves, having standard 8-inch diameter, full height frames, complying with the specifications for wire cloth and sieve frames in "Standard Specifications for Sieves", published March 1, 1940 in L. C. 584 of the Bureau of Standards, U. S. Department of Commerce. A sieve with frame of the same dimensions as the Nos. 12 and 25 and fitted with 72 XXX grits gauze is used as the third sieve. It is referred to hereafter as the No. 72 sieve. The 72 XXX grits gauze has openings equivalent in size with those of No. 70 woven wire cloth, complying with specifications for such cloth contained in such "Standard Specifications for Sieves". Attach bottom pan to No. 72 sieve. Fit the No. 25 sieve into the No. 72 sieve and the No. 12 sieve into the No. 25 sieve. Pour 100 grams of sample into the No. 12 sieve, attach cover and hold the assembly in a slightly inclined position and shake the assembly of sieves by striking the sides against one hand with an upward stroke, at the rate of about 150 times per minute. Turn the assembly of sieves about ⅙ of a revolution, each time in the same direction, after each 25 strokes. Continue shaking for 2 minutes. Weigh separately the material remaining on each sieve and in the pan,

and calculate each weight as percent of sample. Sometimes when meals are tested, fine particles clog the sieve openings. If any sieve is clogged by fine material smaller than its openings, empty the contents onto a piece of paper. Remove the entrapped material on the bottom of the sieve by a hair brush and add to the sieve below. In like manner, clean the adhering material from inside the sieve and add to the material on the paper. Return mixture to the sieve, reassemble the sieves, and shake in the same manner as before for 1 minute. Repeat cleaning procedure if necessary until a 5 gram or less loss in weight occurs in any sieve during a 1 minute shaking. The percent of sample passing through No. 12 sieve shall be determined by subtracting from 100 percent of material remaining on the No. 12 sieve. The percent passing through a No. 25 sieve shall be determined by adding the percents remaining on the No. 72 sieve and the percent in pan. The percent in the pan shall be considered as the percent passing through a No. 72 XXX grits gauze.

§ 15.501 *Yellow corn meal; identity.* Yellow corn meal conforms to the definition and standard of identity prescribed by § 15.500 for white corn meal except that cleaned yellow corn is used instead of cleaned white corn.

§ 15.502 *Bolted white corn meal; identity.* (a) Bolted white corn meal is the food prepared by so grinding and sifting cleaned white corn that:

(1) Its crude fiber content is less than 1.2 percent but its fat content is not less than 2.25 percent, and

(2) When tested by the method prescribed in § 15.500 (b) (2), except that a No. 20 standard sieve is used instead of the No. 12 sieve, not less than 95 percent passes through a No. 20 sieve, not less than 45 percent through a No. 25 sieve, but not more than 25 percent through No. 72 grits gauze. Its moisture content is not more than 15 percent. In its preparation particles of ground corn which contain germ may be separated, reground, and recombined with all or part of the material from which it was separated, but in any such case the fat content of the finished bolted white corn meal does not exceed by more than 0.3 percent the fat content of the cleaned corn from which it was ground. The contents of crude fiber and fat in all the foregoing provisions relating thereto are on a moisture-free basis.

(b) For the purposes of this section moisture, fat and crude fiber are determined by the methods therefor referred to in § 15.500 (b) (1).

§ 15.503 *Bolted yellow corn meal; identity.* Bolted yellow corn meal conforms to the definition and standard of identity prescribed by § 15.502 for bolted white corn meal except that cleaned yellow corn is used instead of cleaned white corn.

§ 15.504 *Degerminated white corn meal, degermed white corn meal; identity.* (a) Degerminated white corn meal, degermed white corn meal, is the food prepared by grinding cleaned white corn and removing bran and germ so that:

(1) On a moisture-free basis, its crude fiber content is less than 1.2 percent and its fat content is less than 2.25 percent; and

(2) When tested by the method prescribed in § 15.500 (b) (2), except that a No. 20 standard sieve is used instead of a No. 12 sieve, not less than 95 percent passes through a No. 20 sieve, not less than 45 percent through a No. 25 sieve, but not more than 25 percent through No. 72 XXX grits gauze.

Its moisture content is not more than 15 percent.

(b) For the purposes of this section moisture, fat and crude fiber are determined by methods therefor referred to in § 15.500 (b) (1).

§ 15.505 *Degerminated yellow corn meal, degermed yellow corn meal; identity.* Degerminated yellow corn meal conforms to the definition and standard of identity prescribed by § 15.504 for degerminated white corn meal except that cleaned yellow corn is used instead of cleaned white corn.

§ 15.506 *White corn flour; identity.* (a) White corn flour is the food prepared by so grinding and bolting cleaned white corn that when tested by the method prescribed in paragraph (b) (2) of this section not less than 98 percent passes through a No. 50 sieve and not less than 50 percent passes through No. 70 woven wire cloth. Its moisture content is not more than 15 percent. In its preparation part of the ground corn may be removed, but in any such case, the content (on a moisture-free basis) of neither the crude fiber nor fat in the finished white corn flour exceeds the content (on a moisture-free basis) of such substance in the cleaned corn from which it was ground.

(b) (1) For the purpose of this section, moisture, fat and crude fiber are determined by methods therefor referred to in § 15.500 (b) (1).

(2) The methods referred to in paragraph (a) of this section are as follows:

Weigh 5 grams of sample into a tared truncated metal cone (top diameter 5 centimeters, bottom diameter 2 centimeters, height 4 centimeters), fitted at bottom with 70-mesh wire cloth complying with the specifications for No. 70 wire cloth in "Standard Specifications for Sieves", published March 1, 1940 in L. C. 584 of the Bureau of Standards, U. S. Department of Commerce. Attach cone to a suction flask. Wash with 150 ml of petroleum ether applied in a small stream without suction, while gently stirring the sample with a small glass rod. Apply suction for 2 minutes after washing is completed, then shake the cone for 2 minutes with a vigorous horizontal motion, striking the side against the hand, and then weigh. The decrease in weight of sample, calculated as percent by weight of sample shall be considered the percent passing through No. 70 wire cloth. Transfer the residue from cone to a No. 50 sieve having a standard 8-inch diameter full height frame, complying with the specifications for wire cloth and sieve frame in said "Standard Specifications for Sieves". Shake for 2 minutes with a vigorous horizontal motion, striking the side against the hand; remove and weigh the residue; calculate the weight of residue as percent by weight of sample, and subtract from 100 percent to obtain the percent of sample passing through the No. 50 sieve.

§ 15.507 *Yellow corn flour; identity.* Yellow corn conforms to the definition and standard of identity prescribed by § 15.506 for white corn flour except that cleaned yellow corn is used instead of cleaned white corn.

§ 15.508 *Grits, corn grits, hominy grits; identity.* (a) Grits, corn grits, hominy grits, is the food prepared by so grinding and sifting cleaned white corn, with removal of corn bran and germ, that:

(1) On a moisture-free basis its crude fiber content is not more than 1.2 percent and its fat content is not more than 2.25 percent; and

(2) When tested by the method prescribed in paragraph (b) (2) of this section not less than 95 percent passes through a No. 10 sieve but not more than 20 percent through a No. 25 sieve.

(b) (1) For the purposes of this section moisture, fat and crude fiber are determined by methods therefor referred to in § 15.500 (b) (1).

(2) The method referred to in paragraph (a) of this section is as follows:

Use No. 10 and No. 25 sieves, having standard 8-inch diameter full height frames, complying with the specifications for wire cloth and sieve frames in "Standard Specifications for Sieves", published March 1, 1940 in L. C. 584 of the Bureau of Standards, U. S. Department of Commerce. Attach bottom pan to No. 25 sieve. Fit the No. 10 sieve into the No. 25 sieve. Pour 100 grams of sample into the No. 10 sieve, attach cover and hold assembly in a slightly inclined position, shake the sieves by striking the sides against one hand with an upward stroke, at the rate of about 150 times per minute. Turn the sieves about ⅙ of a revolution each time in the same direction after each 25 strokes. Continue shaking for 2 minutes. Weigh separately the material remaining on the No. 10 sieve and in the pan, and calculate each weight as percent of sample. The percent of sample passing through a No. 10 sieve shall be determined by subtracting from 100 percent, the percent remaining on the No. 10 sieve. The percent of material in the pan shall be considered as the percent passing through a No. 25 sieve.

§ 15.509 *Yellow grits, yellow corn grits, yellow hominy grits; identity.* Yellow grits, yellow corn grits, yellow hominy grits, conforms to the definition and standard of identity prescribed by § 15.508 for grits except that cleaned yellow corn is used instead of cleaned white corn.

§ 15.510 *Enriched corn meals; identity.* (a) Enriched corn meals are the foods, each of which conforms to the definition and standard prescribed for a kind of corn meal by §§ 15.500 to 15.505, inclusive, except that:

(1) It contains in each pound not less than 2.0 mg and not more than 3.0 mg of thiamine, not less than 1.2 mg and not

more than 1.8 mg of riboflavin, not less than 16 mg and not more than 24 mg of niacin or niacin amide, and not less than 13 mg and not more than 26 mg of iron (Fe):

(2) It may contain in each pound not less than 250 U. S. P. units and not more than 1,000 U. S. P. units of vitamin D; and

(3) It may contain in each pound not less than 500 mg and not more than 750 mg of calcium (Ca).

Iron and calcium may be added only in forms which are harmless and assimilable. The substances referred to in subparagraphs (1), (2) and (3) of this paragraph may be added in a harmless carrier which does not impair the enriched corn meal; such carrier is used only in the quantity necessary to effect an intimate and uniform admixture of such substances with the kind of corn meal used. Dried yeast in quantities not exceeding 1.5 percent by weight of the finished food may be used.

(b) The name of each kind of enriched corn meal is the word "Enriched" followed by the name of the kind of corn meal used which is prescribed in the definition and standard of identity therefor.

§ 15.511 *Enriched corn grits, identity.* (a) Enriched corn grits are the foods, each of which conforms to the definition and standard of identity prescribed for grits and yellow grits by §§ 15.508 and 15.509, except that:

(1) It contains in each pound not less than 2.0 mg and not more than 3.0 mg of thiamine, not less than 1.2 mg and not more than 1.8 mg of riboflavin, not less than 16 mg and not more than 24 mg of niacin or niacin amide, not less than 13 mg and not more than 26 mg of iron (Fe);

(2) It may contain in each pound not less than 250 U. S. P. units and not more than 1,000 U. S. P. units of vitamin D; and

(3) It may contain in each pound not less than 500 mg and not more than 750 mg of calcium (Ca).

Iron and calcium may be added only in forms which are harmless and assimilable. The vitamins referred to in subparagraph (1) of this paragraph may be combined with harmless substances to render them insoluble in water if the water-insoluble products are assimilable. The substances referred to in subparagrap (1), (2), and (3) of this paragraph may be added in a harmless carrier; such carrier is used only in the quantity necessary to effect an intimate and uniform admixture of such substances with the kind of corn grits used. Dried yeast in quantities not exceeding 1.5 percent by weight of the finished food may be used. When the finished food is tested by the method prescribed in paragraph (c) of this section it complies with the requirements set forth therein.

(b) The name of each kind or enriched corn grits is the word "Enriched" followed by the name of the kind of corn grits used which is prescribed in the definition and standard therefor.

(c) The method referred to in paragraph (a) of this section is as follows:

Transfer 100 grams of enriched grits to a 2 liter Erlenmeyer flask containing 1 liter of water at 25° C. Stopper the flask and rotate it for exactly ½ minute so that the grits are kept in motion. Allow the grits to settle for ½ minute, then pour off 850 cc of the water along with any floating or suspended matter. Determine thiamine, riboflavin, niacin and iron in the wet grits and water remaining in the flask. Calculate as mg per pound of the grits before rinsing. The amounts found by this procedure are not less than 85 percent of the minimum amounts of thiamine, riboflavin, niacin and iron prescribed by the standard for enriched grits.

Any interested person whose appearance was filed at the hearing may, within 20 days from the date of publication of this tentative order in the FEDERAL REGISTER, file with the Hearing Clerk of the Federal Security Agency, Office of the General Counsel, 3257, Social Security Building, 4th Street and Independence Avenue SW., Washington, D. C., written exceptions thereto. Exceptions shall point out with particularity the alleged errors in the tentative order, and shall contain specific references to the pages of the transcript of the testimony or to the exhibits on which each exception is based. Such exceptions may be accompanied with a memorandum or brief in support thereof. Exceptions and accompanying memoranda or briefs should be submitted in quintuplicate.

[SEAL] WATSON B. MILLER,
Administrator.

DECEMBER 30, 1946.

[F. R. Doc. 47-87; Filed, Jan. 3, 1947; 8:55 a. m.]

NOTICES

CIVIL AERONAUTICS BOARD

[Docket 2674]

BRITISH OVERSEAS AIRWAYS CORP.

NOTICE OF POSTPONEMENT OF HEARING

In the matter of application for authority to use MacArthur Field, Islip, Long Island, as a coterminal or alternate terminal with LaGuardia Airport, New York, insofar as transatlantic landplane operations are concerned.

Notice is hereby given that the hearing in the above-mentioned proceeding, now assigned to be heard January 7, 1947, is postponed to January 21, 1947, at 10 a. m. (eastern standard time) in Room 1508 Commerce Building, Washington, D. C., before Examiner James S. Keith.

Dated at Washington, D. C., December 30, 1946.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 47-50; Filed, Jan. 3, 1947; 8:48 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 6862, 8005, 7810, 7809]

RED RIVER VALLEY BROADCASTING CORP., ET AL.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Red River Valley Broadcasting Corp. (KRRV), Sherman, Texas, Docket No. 6862, File No. B3-P-4105; The Kjan Broadcasting Co., Inc., Opelousas, Louisiana, Docket No. 8005, File No. B3-P-5143; Miami Broadcasting Company, Miami, Oklahoma, Docket No. 7810, File No. B3-P- 4987; Northeast Oklahoma Broadcasting Company, Miami, Oklahoma, Docket No. 7809, File No. B3-P-4930; for construction permits.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 17th day of December 1946;

The Commission having under consideration the above-entitled application of Red River Valley Broadcasting Corp. (KRRV),[1] requesting a construction permit to increase power of Station KRRV, at Sherman, Texas, to 5 kw, install new transmitter, change transmitter site and install a new directional antenna, and also having under consideration the application of The KJAN Broadcasting Co., Inc., for a construction permit for a new standard broadcast station to operate on 910 kc, 1 kw power, unlimited time, directional antenna nighttime, at Opelousas, Louisiana; and

It appearing, that the Commission, on August 29, 1946, designated for hearing the application of Miami Broadcasting Company (File No. B3-P-4987, Docket No. 7810), requesting a construction permit for a new standard broadcast station to operate on 910 kc, 1 kw power, unlimited time, DA-2, at Miami, Oklahoma, in a consolidated proceeding with the application of Northeast Oklahoma Broadcasting Company (File No. B3-P-4930, Docket No. 7809), requesting a construction permit for a new standard broadcast station to operate on 900 kc, 250 w power, daytime only, at Miami, Oklahoma, for which hearing no date has been set;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said application

[1] Presently operating on 910 kc, 1 kw, unlimited, directional antenna.

of Red River Valley Broadcasting Corp. (KRRV) be, and it is hereby, designated for hearing in the above-consolidated proceeding, at a time and place to be designated by subsequent order of the Commission, upon the following issues:

1. To determine the technical, financial, and other qualifications of the applicant corporation, its officers, directors and stockholders, to construct and operate Station KRRV as proposed.

2. To determine the areas and populations which may be expected to gain or lose primary service from the operation of Station KRRV as proposed and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of Station KRRV as proposed would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of Station KRRV as proposed would involve objectionable interference with the services proposed in the pending applications of The KJAN Broadcasting Co., Inc. (File No. B3–P–5143), and Miami Broadcasting Company (File No. B3–P–4987, Docket No. 7810), or in any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of Station KRRV as proposed would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine whether the operation of Station KRRV as proposed would involve objectionable interference with Station CMCF, Havana, Cuba, or with any other foreign standard broadcast station, in violation of the terms of the North American Regional Broadcasting Agreement.

8. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

It is further ordered, That the orders of the Commission dated August 29, 1946, designating the said application of Miami Broadcasting Company for hearing in a consolidated proceeding with the said application of Northeast Oklahoma Broadcasting Company, be, and it is hereby, amended to include the said application of Red River Valley Broadcasting Co. (KRRV).

By the Commission.

[SEAL] WM. P. MASSING,
Acting Secretary.

[F. R. Doc. 47–71; Filed, Jan. 3, 1947; 8:58 a. m.]

[Docket Nos. 7162, 7991, 7992, 7993, 7994, 7995, 7996]

LOUISIANA BROADCASTING CO. ET AL.

ORDER DESIGNATING APPLICATIONS AND PETITION, IN PART, FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Roy Hofheinz and W. N. Hooper, d/b as Louisiana Broadcasting Company, New Orleans, Louisiana, Docket No. 7162, File No. B3–P–4260; Bayou Broadcasting Company, Incorporated, Baton Rouge, Louisiana, Docket No. 7991, File No. B3–P–5453; Patroon Broadcasting Company, Inc., Albany, New York, Docket No. 7992, File No. B1–P–4611; Texhoma Broadcasting Company, Durant, Oklahoma, Docket No. 7993, File No. B3–P–5112; East-West Broadcasting Company, a partnership composed of John C. Griffith, James H. Lawson, Jr., James G. Ulmer, James G. Ulmer, Jr., M. Ward Bailey and T. S. Christopher, Fort Worth, Texas; Docket No. 7994, File No. B3–P–4524; Western Waves, Inc., Seattle, Washington, Docket No. 7995, File No. B5–P–5060; for construction permits; and petition of Josh Higgins Broadcasting Company (KXEL), Waterloo, Iowa, for continuation of exclusive nighttime assignment on 1540 kc to Station KXEL, Docket No. 7996.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 5th day of December 1946;

The Commission having under consideration the above entitled applications for construction permits for new standard broadcast stations to operate unlimited time on the frequency 1540 kc, as follows: Louisiana Broadcasting Company, with 50 kw power, using directional antenna, at New Orleans, Louisiana; Bayou Broadcasting Company, Inc., with 250 watts at Baton Rouge, Louisiana; Patroon Broadcasting Company, Inc., with 10 kw, using directional antenna, at Albany, New York; Texhoma Broadcasting Company, with 250 watts at Durant, Oklahoma; East-West Broadcasting Company, with 10 kw at Fort Worth, Texas; and Western Waves, Inc., with 50 kw, using directional antenna, at Seattle, Washington; and the Commission also having under consideration the above entitled petition of Josh Higgins Broadcasting Company (KXEL) requesting that:

(1) The frequency 1540 kc be considered as unavailable for assignment for additional nighttime operations in the United States (KXEL now operates on 1540 kc with 50 kw, unlimited time using directional antenna at night, at Waterloo, Iowa) until the Government of the Bahama Islands has irrevocably and definitely determined to use 1540 kc;

(2) The frequency 1540 kc be classified when and to the extent possible in view of its non-use or partial use in the Bahamas, as assignable in the United States with Class I–A privileges; and

(3) The skywave as well as the ground wave service of KXEL, in any case, be accorded protection equivalent to that enjoyed by a Class I–B station or to the extent of its interference free service areas; and

Whereas, on August 27, 1946, the Commission was duly notified that the British Government had accepted the frequency 1540 kc for the operation of a Class I–B station (ZNS) at Nassau, Bahamas, and the Commission, on October 10, 1946, having amended § 3.25 (e) of its rules pursuant thereto; and

It appearing, that the foregoing matters involve common issues concerning the use of the frequency 1540 kc for nighttime operation in the United States, and the manner in which allocation of stations on that frequency would best serve the public interest and contribute to an equitable distribution of facilities in accordance with the provisions of section 307 (b) of the Communications Act of 1934, as amended;

It is ordered, That the said petition of Josh Higgins Broadcasting Company, insofar as the relief requested therein is contingent on the non-use of the 1540 kc channel by a Class I–A station in the Bahamas, be, and it is hereby, denied.

It is further ordered, That the said petition of Josh Higgins Broadcasting Company, insofar as it requests protection for Station KXEL to the extent of its interference free areas, and the said above entitled applications be, and they are hereby, designated for hearing in a consolidated proceeding, at a time and place to be determined by subsequent order of the Commission, upon the following issues:

1. To determine the legal, technical, financial and other qualifications of the applicants, their partners or their officers, directors and stockholders to construct and operate their proposed stations.

2. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the various proposed stations and the character of other broadcast service available to those areas and populations.

3. To determine the extent of Station KXEL's present interference free service areas, the nature and extent of the primary interference free service that it renders beyond its normally protected contours, the character of its program service to those areas, the populations involved and the character of other broadcast service available thereto and whether, and to what extent, such service should receive protection.

4. To determine the type and character of the program service proposed to be rendered by each of the applicants and whether it would meet the requirements of the populations and areas proposed to be served.

5. To determine whether any of the proposed operations would involve objectionable interference with any existing broadcast station, including the present interference free service area of Station KXEL, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations; or would involve objectionable interference with broadcast service authorized in a foreign country pursuant to the provisions of international agreements to which the United States is a party.

6. To determine whether any one of the proposed operations would involve objectionable interference with the services proposed in any or all of the other applications in this consolidated proceeding or in any other pending applications for broadcast facilities, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

7. To determine whether the installation and operation of the various proposed stations would be in compliance with the Commission's rules and standards of Good Engineering Practice concerning standard broadcast stations.

8. To determine what allocation of stations on the frequency 1540 kc would best serve the public interest and best contribute to an equitable distribution of facilities in accordance with section 307 (b) of the Communications Act of 1934, as amended, and § 3.25 (e) of the Commission's rules.

9. To determine all the facts and circumstances concerning and leading up to the filing of the application of Bayou Broadcasting Company, Incorporated (Docket No. 7991), and more particularly to determine the intent, purpose and good faith of the applicant in filing the said application.

10. To determine which, if any, of the applications in this consolidated proceeding should be granted.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 47-59; Filed, Jan. 3, 1947; 8:50 a. m.]

[Docket No. 6900]

TIMES PUBLISHING CO.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re application of Times Publishing Company, Erie, Pennsylvania, for construction permit; Docket No. 6900, File No. B2-P-3773.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 17th day of December 1946;

The Commission having under consideration the above-entitled application requesting a construction permit for a new standard broadcast station to operate on 1400 kc, 250 w, unlimited time, at Erie, Pennsylvania;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said application be, and it is hereby, designated for hearing in a consolidated proceeding with the application of Thomas Phillips, Jr., William M. Schuster, Conrad Elfenbein, Francis Schuster, and Sylvia Galinsky, a partnership, d/b as Erie Broadcasting Company (File No. B2-P-5469), requesting a construction permit for a new standard broadcast station to operate on 1400 kc, 250 w, unlimited time, at Erie, Pennsylvania, at a time and place to be designated by subsequent order of the Commission, upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant corporation, its officers, directors and stockholders, to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with the services proposed in any pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine on a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.

By the Commission.

[SEAL] WM. P. MASSING,
Acting Secretary.

[F. R. Doc. 47-66; Filed, Jan. 3, 1947; 8:50 a. m.]

[Docket No. 7484]

EUGENE BROADCASTERS, INC.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re application of Eugene Broadcasters, Inc., Eugene, Oregon, for construction permit; Docket No. 7484, File No. B5-P-4259.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 17th day of December 1946;

The Commission having under consideration the above-entitled application, requesting a construction permit for a new standard broadcast station to operate on 1280 kc, 1 kw, unlimited time, using a directional antenna;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said application be, and it is hereby, designated for hearing in a consolidated proceeding with the application of Violet G. Hill Motter and Violet G. Hill Motter, Administratrix of the Estate of Frank L. Hill, deceased, d/b as Eugene Broadcast Station (KORE), requesting a construction permit to change the frequency, power and operating time of Station KORE at Eugene, Oregon, from 1450 kc, 250 w, unlimited time, to 1280 kc, 1 kw, daytime only (File No. B5-P-5470), at a time and place to be designated by subsequent order of the Commission, upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant corporation, its officers, directors and stockholders, to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with the services proposed in any pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine on a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.

By the Commission.

[SEAL] WM. P. MASSING,
Acting Secretary.

[F. R. Doc. 47-69; Filed, Jan. 3, 1947; 8:58 a. m.]

[Docket Nos. 7557 and 7692]

EAU CLAIRE-CHIPPEWA BROADCASTING CO. AND WBIZ, INC.

ORDER ENLARGING ISSUES

In re applications of A. W. Langill, B. J. Colbert, and I. E. Rasmus, Co-Partners, d/b as Eau Claire-Chippewa Broadcasting Company, Chippewa Falls, Wisconsin, Docket No. 7557, File No. B4-P-4619; WBIZ, Inc., Eau Claire, Wisconsin, Docket No. 7692, File No. B4-P-4692; for construction permits.

The Commission having under consideration a petition filed December 5, 1946 by WBIZ, Inc., Eau Claire, Wisconsin, requesting that the issues in the consolidated proceeding upon its application for construction permit (File No. B4-P-

4692, Docket No. 7692) and the application of Eau Claire-Chippewa Broadcasting Company, Chippewa Falls, Wisconsin (File No. B4–P–4619, Docket No. 7557) be enlarged to include the following issue:

To determine whether the operation of a proposed station in Chippewa Falls, Wisconsin, on 1340 kc, operating with power of 250 watts, unlimited time, would involve objectionable interference with any existing or proposed broadcast services and, if so, the nature and extent thereof, and the availability of other broadcast service to such areas and populations

and that the further hearing upon the engineering aspects of the instant proceeding, which is presently scheduled for December 16, 1946 at Washington, D. C., be continued for 30 days;

It is ordered, This 13th day of December 1946, that the petition be, and it is hereby, granted; the issues in the above-entitled proceeding be, and they are hereby, enlarged to include the following issue:

To determine whether the operation of a proposed station in Chippewa Falls, Wisconsin, on 1340 kc. operating with power of 250 watts, unlimited time, would involve objectionable interference with any existing or proposed broadcast services and, if so, the nature and extent thereof, and the availability of other broadcast service to such areas and populations.

and the further hearing in the above-entitled proceeding be, and it is hereby continued to 10:00 o'clock a. m. Wednesday, January 15, 1947 at Washington, D. C.

By the Commission.

[SEAL] WM. P. MASSING,
Acting Secretary.

[F. R. Doc. 47–61; Filed, Jan. 3, 1947; 8:49 a. m.]

[Docket Nos. 8003, 8004]

ASHBACKER RADIO CORP. AND MANISTEE RADIO CORP.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Ashbacker Radio Corporation, Manistee, Michigan, Docket No. 8003, File No. B2–P–5191; Manistee Radio Corporation, Manistee, Michigan, Docket No. 8004, File No. B2–P–5433; for construction permits.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 17th day of December, 1946;

The Commission having under consideration the above-entitled applications requesting a construction permit for a new standard broadcast station to operate on 1340 kc, 250 w power, unlimited time, at Manistee, Michigan;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said applications be, and they are hereby, designated for hearing in a consolidated proceeding at a time and place to be designated by subsequent order of the Commission, each upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant corporation, its officers, directors and stockholders to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with the services proposed in any pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine on a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.

It is further ordered, That, with respect to the application of Ashbacker Radio Corporation (File No. B2–P–5191), it be heard on the following additional issue:

8. To determine the overlap, if any, that will exist between the service areas of the proposed station and of station WKLA at Ludington, Michigan, the nature and extent thereof, and whether such overlap, if any, is in contravention of § 3.35 of the Commission's rules.

By the Commission.

[SEAL] WM. P. MASSING,
Acting Secretary.

[F. R. Doc. 47–73; Filed, Jan. 3, 1947; 8:58 a. m.]

[Docket No. 7808]

ONEONTA STAR, INC.

ORDER MODIFYING ISSUES

In re application of Oneonta Star, Inc., Oneonta, N. Y., for construction permit; Docket No. 7808, File No. B1–P–5114.

The Commission having under consideration a petition filed November 18, 1946 by Oneonta Star, Inc., Oneonta, New York, requesting the Commission to modify the issues in the proceeding upon its application for construction permit (File No. B1–P–5114, Docket No. 7808) so as to strike the issues relative to the legal and financial qualifications of the applicant and to the type and character of program service proposed; and to set an early hearing date upon the said application;

It appearing, that since the filing of the instant petition, the Commission has scheduled the above-entitled application for hearing on March 6, 1947; that this date is in accord with the priority of the filing of the application; and that in the circumstances the petition insofar as it requests an early hearing date is moot;

It is ordered, This 13th day of December 1946, that insofar as the petition requests modification of the issues, the petition be, and it is hereby granted; the issues in the above-entitled proceeding be, and they are hereby, modified so as to read as follows:

1. To determine the technical qualifications of the applicant to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.

3. To determine whether the operation of the proposed station would involve objectionable interference with Station WABY at Albany, New York, or with any other existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

4. To determine whether the operation of the proposed station would involve objectionable interference with the services proposed in any pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

and, insofar as the petition requests an early hearing date, the petition be, and it is hereby, dismissed, as moot.

By the Commission.

[SEAL] WM. P. MASSING,
Acting Secretary.

[F. R. Doc. 47–60; Filed, Jan. 3, 1947; 8:50 a. m.]

[Docket No. 7989]

LAKE WORTH BROADCASTING CORP., INC.

ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In re application of Lake Worth Broadcasting Corp., Inc., Lake Worth, Florida, for construction permit; Docket No. 7989, File No. B3–P–5455.

At a session of the Federal Communications Commission, held at its offices in

Washington, D. C., on the 5th day of December 1946;

The Commission having under consideration the above-entitled application requesting construction permit for a new standard broadcast station to operate on 1450 kc, with 250 w power, unlimited time, at Lake Worth, Florida;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said application be, and it is hereby, designated for hearing, at a time and place to be designated by subsequent order of the Commission, upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant corporation, its officers, directors and stockholders, to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with the services proposed in the pending applications of Everglades Broadcasting Corporation (File No. B3–P–4258; Docket No. 7076) and Paul Brake (File No. B3–P–4282; Docket No. 7077), or in any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 47–62; Filed, Jan. 3, 1947; 8:49 a. m.]

[Docket Nos. 8005, 6862, 7810, 7809]

KJAN BROADCASTING CO., INC., ET AL.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of the KJAN Broadcasting Co., Inc., Opelousas, Louisiana, Docket No. 8005, File No. B3–P–5143; Red River Valley Broadcasting Corp. (KRRV), Sherman, Texas, Docket No. 6862, File No. B3–P–4105; Miami Broadcasting Company, Miami, Oklahoma, Docket No. 7810, File No. B3–P–4987; Northeast Oklahoma Broadcasting Company, Miami, Oklahoma, Docket No. 7809, File No. B3–P–4930; for construction permits.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 17th day of December, 1946;

The Commission having under consideration the above-entitled application of the KJAN Broadcasting Co., Inc., for a construction permit for a new standard broadcast station to operate on 910 kc, 1 kw power, unlimited time, directional antenna nighttime, at Opelousas, Louisiana, and the application of Red River Valley Broadcasting Corp. (KRRV),[1] requesting a construction permit to increase power of Station KRRV, at Sherman, Texas, to 5 kw, install new transmitter, change transmitter site and install a new directional antenna; and

It appearing, that the Commission, on August 29, 1946, designated for hearing the application of Miami Broadcasting Company (File No. B3–P–4987, Docket No. 7810), requesting a construction permit for a new standard broadcast station to operate on 910 kc, 1 kw power, unlimited time, DA–2, at Miami, Oklahoma, in a consolidated proceeding with the application of Northeast Oklahoma Broadcasting Company (File No. B3–P–4930, Docket No. 7809), requesting a construction permit for a new standard broadcast station to operate on 900 kc, 250 w power, daytime only, at Miami, Oklahoma, for which hearing no date has been set;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said application of the KJAN Broadcasting Co., Inc., be, and it is hereby, designated for hearing in the above-consolidated proceeding, at a time and place to be designated by subsequent order of the Commission, upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant corporation, its officers, directors and stockholders, to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with the services proposed in the pending applications of Red River Valley Broadcasting Corp. (KRRV) (File No. B3–P–4105, Docket No. 6862) and Miami Broadcasting Company (File No. B3–P–4987), or in any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine whether the operation of the proposed station would involve objectionable interference with Station CMCF, Havana, Cuba, or with any other foreign standard broadcast station, in violation of the terms of the North American Regional Broadcasting Agreement.

8. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

It is further ordered, That the orders of the Commission dated August 29, 1946, designating the said application of Miami Broadcasting Company for hearing in a consolidated proceeding with the said application of Northeast Oklahoma Broadcasting Company, be, and it is hereby, amended to include the said application of the KJAN Broadcasting Co., Inc.

By the Commission.

[SEAL] WM. P. MASSING,
Acting Secretary.

[F. R. Doc. 47–72; Filed, Jan. 3, 1947; 8:58 a. m.]

[1] Presently operating on 910 kc, 1 kw power, unlimited time, using a directional antenna.

[Docket Nos. 8006, 7823, 7824]

POCAHONTAS BROADCASTING CORP. ET AL.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Pocahontas Broadcasting Corporation, Bluefield, West Virginia, Docket No. 8006, File No. B2–P–5466; G. Lester Hash, N. Joe Rahall, and Fred William Simon, d/b as The Bluefield Broadcasting Company, Bluefield, West Virginia, Docket No. 7823, File No. B2–P–4990; Odes E. Robinson, Bluefield, West Virginia, Docket No. 7824, File No. B2–P–5160; for construction permits.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 17th day of December 1946;

The Commission having under consideration the above-entitled application of Pocahontas Broadcasting Corporation for a construction permit for a new standard broadcast station to operate on 1240 kc, 250 w, unlimited time, at Bluefield, West Virginia; and

It appearing, that the Commission, on September 5, 1946, designated for hearing in a consolidated proceeding the applications of G. Lester Hash, N. Joe Rahall, and Fred William Simon, d/b as

The Bluefield Broadcasting Company (File No. B2–P–4990, Docket No. 7823), and Odes E. Robinson (File No. B2–P–5160, Docket No. 7824), both requesting a construction permit for a new standard broadcast station to operate on 1240 kc, 250 w, unlimited time, at Bluefield, West Virginia;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said application of Pocahontas Broadcasting Corporation be, and it is hereby, designated for hearing in the above consolidated proceeding, at a time and place to be designated by subsequent order of the Commission, upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant corporation, its officers, directors and stockholders, to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast service available to such areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with the services proposed in any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

It is further ordered, That the orders of the Commission dated September 5, 1946, designating for hearing in a consolidated proceeding the applications of G. Lester Hash, N. Joe Rahall, and Fred William Simon, d/b as The Bluefield Broadcasting Company, and of Odes E. Robinson, be, and they are hereby, amended to include the above-entitled application of Pocahontas Broadcasting Corporation.

By the Commission.

[SEAL] WM. P. MASSING,
Acting Secretary.

[F. R. Doc. 47–70; Filed, Jan. 3, 1947; 8:58 a. m.]

[Docket No. 8008]

EUGENE BROADCASTING STATION (KORE)

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re application of Violet G. Hill Motter and Violet G. Hill Motter, Administratrix of the estate of Frank L. Hill, deceased, d/b as Eugene Broadcast Station (KORE), Eugene, Oregon, for construction permit; Docket No. 8008, File No. B5–P–5470.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 17th day of December 1946;

The Commission having under consideration the above-entitled application for a construction permit to change the frequency, power, and operating time of Station KORE from 1450 kc, 250 w, unlimited time, to 1280 kc, 1 kw, daytime only;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said application be, and it is hereby, designated for hearing in a consolidated proceeding with the application of Eugene Broadcasters, Inc. (File No. B5–P–4259, Docket No. 7484), requesting a construction permit for a new standard broadcast station to operate on 1280 kc, 1 kw, unlimited time, using a directional antenna, at a time and place to be designated by subsequent order of the Commission, upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant to construct and operate Station KORE as proposed.

2. To determine the areas and populations which may be expected to gain or lose primary service from the operation of Station KORE as proposed and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of Station KORE as proposed would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of Station KORE as proposed would involve objectionable interference with the services proposed in the pending application of Eugene Broadcasters, Inc. (File No. B5–P–4259, Docket No. 7484), or in any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of Station KORE as proposed would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine the facts and circumstances surrounding the filing of said application and more particularly the purpose and intent of the applicant with respect to such filing and whether, in fact, applicant had legal capacity to file such application.

8. To determine on a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.

By the Commission.

[SEAL] WM. P. MASSING,
Acting Secretary.

[F. R. Doc. 47–68; Filed, Jan. 3, 1947; 8:57 a. m.]

[Docket No. 8009]

ERIE BROADCASTING CO.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re application of Thomas Phillips, Jr., William M. Schuster, Conrad Elfenbein, Francis Schuster and Sylvia Galinsky, a partnership, d/b as Erie Broadcasting Company, Erie, Pennsylvania, for construction permit; Docket No. 8009, File No. B2–P–5469.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 17th day of December 1946;

The Commission having under consideration the above-entitled application requesting a construction permit for a new standard broadcast station to operate on 1400 kc, 250 w, unlimited time, at Erie, Pennsylvania;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said application be, and it is hereby, designated for hearing in a consolidated proceeding with the application of Times Publishing Company (File No. B2–P–3773, Docket No. 6900), requesting a construction permit for a new standard broadcast station to operate on 1400 kc, 250 w, unlimited time, at Erie, Pennsylvania, at a time and place to be designated by subsequent order of the Commission, upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant partnership and the partners to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve ob-

jectionable interference with the services proposed in any pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine on a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.

By the Commission.

[SEAL] WM. P. MASSING,
Acting Secretary.

[F. R. Doc. 47-67; Filed, Jan. 3, 1947; 8:57 a. m.]

[Docket Nos. 8013, 7938, 7937]

FRANK ANDREWS ET AL

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Frank Andrews, Modesto, California, Docket No. 8013, File No. B5-P-5465; Western Broadcasting Associates, Modesto, California, Docket No. 7938, File No. B5-P-5336; Contra Costa Broadcasting Company, San Pablo Island, California, Docket No. 7937, File No. B5-P-5106; for construction permits.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 17th day of December 1946;

The Commission having under consideration the above-entitled application of Frank Andrews (File No. B5-P-5465), requesting a construction permit for a new standard broadcast station to operate on 730 kc, 250 w, daytime only, at Modesto, California; and

It appearing, that the Commission, on November 7, 1946, designated for hearing in a consolidated proceeding the applicants of Western Broadcasting Associates (File No. B5-P-5336, Docket No. 7938), requesting a construction permit for a new standard broadcast station to operate on 710 kc, 1 kw, daytime only, at Modesto, California, and Contra Costa Broadcasting Company (File No. B5-P-5106, Docket No. 7937), requesting a construction permit for a new standard broadcast station to operate on 710 kc, 1 kw, daytime only, at San Pablo Island, California;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said application of Frank Andrews (File No. B5-P-5465) be, and it is hereby, designated for hearing in the above consolidated proceeding, at a time and place to be designated by subsequent order of the Commission, upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with the services proposed in the pending applications of Contra Costa Broadcasting Company (File No. B5-P-5106, Docket No. 7937), The Associated Broadcasters, Inc. (KSFO) (File No. B5-P-2776, Docket No. 6005), and Pacific Agricultural Foundation Limited (KQW) (File No. B5-P-3021, Docket No. 6214), or in any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

It is further ordered, That the orders of the Commission dated November 7, 1946, designating for hearing in a consolidated proceeding the said applications of Western Broadcasting Associates and Contra Costa Broadcasting Company, be, and they are hereby, amended to include the above-entitled application of Frank Andrews.

By the Commission.

[SEAL] WM. P. MASSING,
Acting Secretary.

[F. R. Doc. 47-65; Filed, Jan. 3, 1947; 8:48 a. m.]

[Docket No. 8014]

ROSCOE L. THOMPSON

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re application of Roscoe L. Thompson, Keokuk, Iowa, for construction permit; Docket No. 8014, File No. B4-P-5365.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 17th day of December 1946;

The Commission having under consideration the above-entitled application for a construction permit for a new standard broadcast station to operate on 1310 kc, 250 w, daytime only, at Keokuk, Iowa;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said application be, and it is hereby, designated for hearing in a consolidated proceeding with the application of Keokuk Broadcasting Company (File No. B4-P-5480), requesting a construction permit for a new standard broadcast station to operate on 1310 kc, 250 w, daytime only, at Keokuk, Iowa, at a time and place to be designated by subsequent order of the Commission, upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with the services proposed in the pending application of Keokuk Broadcasting Company (File No. B4-P-5480), or in any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine on a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.

By the Commission.

[SEAL] WM. P. MASSING,
Acting Secretary.

[F. R. Doc. 47-64; Filed, Jan. 3, 1947; 8:48 a. m.]

[Docket No. 8015]

KEOKUK BROADCASTING CO.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re application of Keokuk Broadcasting Company, Keokuk, Iowa, for construction permit; Docket No. 8015, File No. B4-P-5480.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 17th day of December 1946;

The Commission having under consideration the above-entitled application,

requesting a construction permit for a new standard broadcast station to operate on 1310 kc, 250 w, daytime only, at Keokuk, Iowa;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said application be, and it is hereby, designated for hearing in a consolidated proceeding with the application of Roscoe L. Thompson (File No. B4–P–5365), requesting a construction permit for a new standard broadcast station to operate on 1310 kc, 250 w, daytime only, at Keokuk, Iowa, at a time and place to be designated by subsequent order of the Commission, upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant corporation, its officers, directors and stockholders, to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with the services proposed in the pending application of Roscoe L. Thompson (File No. B4–P–5365), or in any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine on a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.

By the Commission.

[SEAL] WM. P. MASSING,
Acting Secretary.

[F. R. Doc. 47–63; Filed, Jan. 3, 1947; 8:49 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File Nos. 59–17, 59–11, 54–25]

UNITED LIGHT AND POWER CO. ET AL.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 30th day of December A. D. 1946.

In the matter of The United Light and Power Company, The United Light and Railways Company, American Light & Traction Company, Continental Gas & Electric Corporation, United American Company, and Iowa-Nebraska Light and Power Company, Respondents, File No. 59–17; The United Light and Power Company and its Subsidiary Companies, Respondents, File No. 59–11; and The United Light and Power Company, Applicant, File No. 54–25: Application 29.

The Commission having, by orders dated November 28, 1945 and November 27, 1946 (Holding Company Act Releases Nos. 6249 and 7027), approved applications and declarations filed by The United Light and Railways Company ("Railways") and its subsidiary, Continental Gas & Electric Corporation ("Continental"), both registered holding companies, regarding, among other things, (1) the issue and sale by Railways to banks of $25,000,000 principal amount of promissory notes, all of which are presently outstanding, and (2) the issue and sale by Continental to banks of $50,000,000 principal amount of promissory notes, the principal amount of which has been reduced to $11,196,700 as of September 30, 1946;

Railways having entered into an agreement with Continental dated November 24, 1945 for the purpose of facilitating the payment of Continental's notes whereby Railways agrees that 50% of the excess of the net cash proceeds received by it upon the liquidation of American Light & Traction Company and from the sale of securities acquired by it upon the liquidation of American Light & Traction Company over the amount required to repay Railways' $25,000,000 bank loan in full shall be used by Railways to purchase additional shares of common stock of Continental at the price of $40 per share;

Continental having agreed, pursuant to its Loan Agreement, to apply to the pro rata prepayment of its 2½% notes, (a) within 120 days after the close of each fiscal year, an amount equal to 50% of its net income (corporate) available for common stock dividends in such fiscal year in excess of $3,500,000: *Provided*, That after the aggregate amount payable upon the 2½% notes at the final maturity date thereof shall have been reduced to $750,000 such amount of $3,500,000 shall be increased to $4,000,000 and (b) any amounts received by Continental from Railways pursuant to the provision of Railways' agreement with Continental described in the preceding paragraph;

Continental having agreed to certain terms regarding its loan, pursuant to the provisions of sections 6.1 (f) (A), 6.1 (g) and the last paragraph of section 6.1 (f) of its Loan Agreement, which provisions refer to items designated "(a)" and "(b)" in the preceding paragraph;

Notice is hereby given that Railways and Continental have filed with this Commission an application and declaration designated as "Application No. 29" pursuant to the provisions of the Public Utility Holding Company Act of 1935 with respect to (1) the issue and sale by Railways to banks of additional promissory notes, (2) the redemption by Railways of its outstanding Prior Preferred Stock, (3) the modification of Continental's Loan Agreement with respect to the notes of Continental hereinabove mentioned, and (4) the modification of the agreement between Railways and Continental referred to above. The applicants have designated sections 6, 7 and 12 of the act and the rules thereunder as applicable to the proposed transactions.

All interested parties are referred to said document which is on file at the offices of the Commission for a statement of the transactions therein proposed which are summarized as follows:

1. Railways proposes to borrow $19,500,000 from banks, the loans to be evidenced by unsecured promissory notes payable in installments aggregating $375,000 on April 1, 1947 and semi-annually thereafter to and including October 1, 1956 and in a final installment of $12,375,000 ten years from the date of issuance. Such notes will bear interest at the rate of 2% per annum on the unpaid portion of the installments due on or before April 1, 1952 and at the rate of 2½% per annum on the unpaid portion of the installments due after April 1, 1952. Railways may prepay such notes ratably in whole or in part at any time without premium unless prepaid as a result or in anticipation of borrowing therefor.

2. Railways proposes to use the proceeds borrowed together with treasury cash to redeem all of its outstanding Prior Preferred Stock consisting of 37,993 shares of 7% First Series, 52,329 shares of 6.36% Series of 1925 and 99,516 shares of 6% Series in 1928 at the redemption price of $105 per share in the case of the 7% and 6.36% Series and at $101 per share in the case of the 6% Series, in each case plus accrued dividends to the date of redemption.

3. Continental proposes, with the consent of each bank which is a party to its Loan Agreement referred to hereinabove, to modify such Loan Agreement by eliminating therefrom the provisions referred to hereinabove.

4. Railways and Continental propose, with the consent of each bank which is a party to Continental's Loan Agreement, to modify the Agreement between Railways and Continental dated as of November 24, 1945 by eliminating therefrom the provisions referred to hereinabove.

The application states that the provisions of Continental's Loan Agreement and of the Agreement between Railways and Continental which are proposed to be eliminated were originally included because, at the time Continental's loan was made, the final installment (due in ten years from the date of the loan) amounted to $15,750,000 and it was deemed necessary to make adequate provision for the payment or reduction of that installment in the event the proceeds received by Continental from the sale of its investment in Columbus and Southern Ohio Electric Company should prove insufficient to pay the $20,000,000

of one year notes issued by Continental under the Loan Agreement and the final installment of $15,750,000 on the ten year 2½% notes. The application further states that upon the sale of Continental's investment in Columbus and Southern Ohio Electric Company for approximately $38,000,000, the $20,000,000 of One Year Notes were paid in full and $18,050,175 was applied on the ten year notes resulting in the payment of the final installment of $15,750,000 in full and in the payment of the last three semi-annual installments of $750,000 each. As a result, it is stated that Continental's loan was reduced from a ten year loan to an eight year loan which is expected to be paid in full in seven years from January 1, 1947, by the fixed semi-annual installments of $750,000 without recourse to other funds. In addition, the application states that Railways and Continental, as well as the banks, are of the opinion that the retention of the provisions referred to is no longer necessary or desirable. Furthermore, the application states that the elimination of the provisions referred to will permit Railways to realize substantial immediate savings by borrowing funds as hereinabove set forth and to apply such savings by borrowing funds as hereinabove set forth and to apply such savings to reduce its senior securities, thus facilitating the simplification and improvement of Railway's capital structure.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held in respect of such matters and that said declaration shall not become effective nor said application be granted except pursuant to further order of the Commission:

It is ordered, That a hearing under the applicable provisions of the act and the rules thereunder be held on the 10th day of January 1947 at 10:00 a. m. e. s. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On such date the hearing room clerk in Room 318 will advise as to the room in which such hearing will be held. All persons desiring to be heard or otherwise wishing to participate in the proceedings shall notify the Commission in the manner prescribed by Rule XVII of the rules of practice on or before January 8, 1947.

It is further ordered, That Allen MacCullen or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing in such matter. The officer so designated to preside at the hearing is hereby authorized to exercise all powers granted to the Commission under Section 18 (c) of said act and to a hearing officer under the Commission's rules of practice.

The Public Utilities Division of the Commission having advised the Commission that it has made a preliminary examination of the application and declaration and that, on the basis thereof the following matters and questions are presented for consideration without prejudice to its specifying additional matters or questions upon further examination:

1. Whether the notes proposed to be issued and sold by Railways to banks are reasonably adapted to the security structure of Railways and the other companies in its holding company system and to the earning power of Railways, and whether the terms and conditions of the issue and sale thereof are detrimental to the public interest or to the interest of investors or consumers.

2. Whether the proposed modifications of the terms of Continental's Loan Agreement and of the Agreement between Railways and Continental are detrimental to the public interest or the interest of investors or consumers.

3. Whether the proposed issue and sale by Railways of notes and the proposed modifications of the terms of Continental's Loan Agreement and of the Agreement between Railways and Continental are in other respects in conformity with the applicable provisions of sections 6 (a) and 7 of the act.

4. Whether the proposed redemption by Railways of all of its outstanding Prior Preferred Stock is in conformity with the applicable provisions of section 12 (c) of the act and Rule U-42 thereunder and, insofar as applicable, of sections 9 and 10.

5. Whether the elimination of Railways' Prior Preferred Stock by the proposed issue and sale by Railways of promissory notes and the use of the proceeds thereof to redeem such preferred stock is detrimental to the carrying out of the provisions of section 11 of the act.

6. Whether the fees, commissions or other remuneration and the expenses to be paid in connection with the proposed transactions are for necessary services and are reasonable in amount.

7. Whether the proposed transactions comply with all the requirements of the applicable provisions of the act and the rules thereunder, and whether any terms and conditions with respect to the transactions should be prescribed in the public interest or for the protection of investors or consumers.

It is further ordered, That at said hearing evidence shall be adduced with respect to the foregoing matters and questions.

It is further ordered, That the Secretary of the Commission shall serve notice of said hearing by mailing a copy of this order by registered mail to Railways and Continental; and that notice shall be given to all other persons by general release of this Commission which shall be distributed to the press and mailed to the mailing list for releases under the Act and that further notice be given all persons by publication of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 47-74; Filed, Jan. 3, 1947; 8:56 a. m.]

[File Nos. 54-42, 54-69, 59-65]

CENTRAL STATES UTILITIES CORP. ET AL.

NOTICE OF FILING AND NOTICE OF AND ORDER RECONVENING HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 27th day of December A. D. 1946.

In the matter of Central States Utilities Corporation, Central States Power & Light Corporation, Ogden Corporation, File No. 54-42; Ogden Corporation and Subsidiary Companies, File No. 54-69; Ogden Corporation and Subsidiary Companies, File No. 59-65.

I. Notice is hereby given that Ogden Corporation ("Ogden"), a registered holding company, has filed Amendment No. 15 in these consolidated proceedings, proposing an amended plan pursuant to section 11 (e) and other applicable sections of the act and the rules promulgated thereunder for the liquidation and dissolution of its subsidiary registered holding company, Central States Utilities Corporation ("Central Utilities"), and of the latter's subsidiary, Central States Power & Light Corporation ("Central States"), a registered holding company:

All interested persons are referred to said amended plan, which is on file in the office of the Commission, for a full statement of the transactions proposed therein, which may be summarized as follows:

Central States and its subsidiaries have disposed of all their operating properties pursuant to separable plans heretofore approved in these proceedings, and the remaining assets of Central States consist almost exclusively of cash and investments in government bonds. After making provision for the discharge of current liabilities the net assets of Central States as of November 30, 1946 amounted to approximately $1,935,000. The only action remaining to consummate the liquidation of Central States is the distribution of the cash and investments now held by it to creditors and security holders entitled thereto.

The following tabulation shows the outstanding securities of Central States at November 30, 1946, and their ownership by its parent companies and by others:

	Principal amount or shares outstanding	Owned by—		
		Ogden	Central Utilities	Others
5% debentures	$5,940,000	$5,108,040		$831,960
	Shares	*Shares*	*Shares*	*Shares*
$7 cum. pfd. stock no par value [1]	80,000	13,473		66,527
Common stock no par value	40,600		40,600	

[1] Entitled to $100 per share and accrued dividends in involuntary liquidation, dividend arrears on January 1, 1947, will amount to $8,392,000 or approximately $105 per share.

Central States had heretofore outstanding 5½% First Mortgage and First Lien Gold Bonds due 1953. On November 15, 1944, the company deposited with the trustee for the bonds cash to pay in full the remaining unpaid principal amount of such bonds and accrued interest. On November 30, 1946, there remained on deposit with the trustee $1,040,897 for the payment of principal and interest on bonds which have not been sent to the trustee for payment.

All interest on the publicly held debentures of Central States was paid regularly until January 1, 1946; interest on such debentures due on and subsequent to January 1, 1946 has been escrowed pending the determination of the status and rank of such debentures. Payment of interest on the debentures owned by Ogden for the period from June 30, 1942, has been conditionally waived by Ogden. Pursuant to an agreement dated June 20, 1941, Ogden deposited in escrow with Manufacturers Trust Company the payments of interest on the debentures owned by it which became due on July 1, 1941, January 1, 1942, and July 1, 1942, aggregating $383,103, said agreement providing that such funds shall be held intact until all questions of the status and rank of such debentures owned by Ogden shall have been passed upon by this Commission and any court having jurisdiction. No dividends have been paid on the preferred stock of Central States since December 31, 1931.

The only assets of Central Utilities consist of all the shares of common stock of Central States and less than $100 in cash. At November 30, 1946, Central Utilities had outstanding $3,500,000 principal amount of 6% Ten-Year Secured Gold Bonds due January 1, 1938 (secured by the common stock of Central States), 32,000 shares of $7 cumulative preferred stock, no par value, and 30,000 shares of common stock, no par value. Except for $370,900 principal amount of bonds and 9,594 shares of preferred stock, Central Utilities' outstanding securities are owned by Ogden. No interest has been paid on the bonds since December 31, 1933, and no dividends on the preferred stock since December 31, 1931.

The amended plan is stated to be designed to effect a compromise of the subordination issues heretofore raised in the proceedings herein, and makes the following principal provisions for the final liquidation of Central States and Central Utilities:

(1) The interest heretofore received by Ogden on its holdings of Central States' debentures, aggregating $383,103, and escrowed with the Manufacturers Trust Company, shall be paid to and become part of the general assets of Central States.

(2) Central States shall pay, or make provision for the payment of, all of its known current and accrued liabilities, and shall reserve and set aside funds sufficient to pay the expenses and fees of liquidation.

(3) After the payment, or making provision for the payment, of the liabilities and expenses provided in paragraph (2) above, Central States shall cause to be paid (a) through the trustee for the 5% Debentures to the holders, other than Ogden, of the 5% Debentures ($831,950 principal amount of debentures so held) an amount of cash equal to $81 for each $100 principal amount of such debentures ($754,876) together with accrued and unpaid interest thereon to the effective date of the Amended Plan (7½% or $62,397 on such debentures as of January 1, 1947), and (b) through a bank or trust company, as Distributing Agent, to the holders, other than Ogden, of the $7 dividend Preferred Stock of Central States (66,527 shares so held) an amount of cash equal to $9.00 per share ($598,743).

(4) After providing for the payment described in paragraphs (2) and (3) above, Central States shall pay and turn over to Ogden, as payment on the principal of the 5% Debentures of Central States owned by Ogden, all the remaining assets of Central States free of any claim, lien or defense with respect thereto.

(5) Ogden shall cause to be paid through the trustee for the 6% Gold Bonds of Central Utilities to the holders of such bonds, other than Ogden, $370,900 principal amount of bonds so held) an amount in cash equal to $7.50 for each $100 principal amount of such bonds ($27,817).

(6) The holders of the $7 Dividend Preferred Stock and common stock of Central Utilities, and the holder of the common stock of Central States, shall not be entitled to participate in the liquidation of such companies.

(7) If and when the amended plan shall become effective, and provision shall have been made for the payments described in paragraphs 3 (a) and 5 above in respect of Central States' debentures and Central Utilities' bonds, the respective trustees for such debentures and bonds shall execute and deliver to the respective companies proper instruments evidencing the discharge of the respective indentures securing such securities, and the said companies shall thereafter be freed from all liabilities in respect of such securities.

(8) If any holders, other than Ogden, of the 5½% First Mortgage Bonds, 5% Debentures and $7 Dividend Preferred Stock of Central States, and of the 6% bonds of Central Utilities, shall not have done all acts necessary to secure possession of any of the funds on deposit with the trustees for the said bonds and debentures and the Distributing Agent for said preferred stock prior to December 17, 1950, all rights of such persons to any such funds shall cease and said trustees and Distributing Agent, upon demand of Ogden, shall transfer to Ogden all such funds in their possession and Ogden shall be entitled to retain such funds free of any claim or lien with respect thereto; *Provided, however,* That within a period not more than sixty (60) days and not less than thirty (30) days prior to December 17, 1950, Ogden shall at its expense cause said trustees and Distributing Agent to publish once a week for three successive calendar weeks in a newspaper of general circulation in New York, Boston and Chicago a notice of the time when the rights of such persons to such funds expire.

(9) Central Utilities and Central States shall be dissolved. In this connection, The Chase National Bank of the City of New York, as trustee for Central Utilities' bonds, shall vote the shares of common stock of Central States pledged under the Trust Indenture in favor of the dissolution of Central States.

(10) Ogden shall be liable and shall pay all expenses of the dissolution of Central Utilities, and upon such dissolution there shall be transferred to Ogden as payment on the principal of the bonds of Central Utilities owned by Ogden all the remaining assets, if any, of Central Utilities.

(11) It is further proposed by Ogden that upon the entry by the Commission of any order approving the amended plan, the Board of Directors of Central States and Central Utilities shall request the Commission, pursuant to section 11 (e) of the act, to apply to a competent court of jurisdiction to enforce and carry out the terms and provisions of the amended plan. When said amended plan is approved by such court, the Boards of Directors of Central States and Central Utilities may declare the amended plan effective at any time within 90 days after such approval by the court. The Boards of Directors, however, may, in their discretion, delay declaring the amended plan effective until all appeals from said court order shall have been disposed of or until after the time for appeal from such court order shall have elapsed.

II. On May 20, 1943, the Commission entered an order (1) directing, pursuant to section 11 (b) of the act, among other things, that Central States recapitalize so as to distribute voting power fairly and equitable among its security holders, *Provided however,* That such recapitalization need not be effected if said company is liquidated and dissolved, and that Central Utilities be liquidated and dissolved, and (2) approving, pursuant to section 11 (e) of the act, a plan filed by Ogden and certain of its subsidiary companies which provided, among other things, that Central States and Central Utilities would be liquidated and dissolved (File Nos. 54-69 and 69-65).

Ogden has heretofore filed Amendment No. 12 in these consolidated proceedings proposing a plan for the liquidation and dissolution of Central States and Central Utilities (Holding Company Act Release No. 5983); and hearings were held in respect thereto and the record was closed.

It appearing to the Commission that notice should be given and that the hearing herein should be reconvened for the purpose of taking additional testimony in respect to the amended plan filed by Ogden:

It is ordered, That the hearing herein be reconvened under the applicable provisions of the act and the rules of the Commission thereunder on January 20, 1947, at 11:00 a. m., e. s. t., at the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On that date, the hearing room clerk in Room 318 will

advise as to the room in which the hearing will be held. It is requested that any person desiring to be heard in these proceedings shall file with the Secretary of the Commission on or before January 17, 1947, an appropriate request or application to be heard, as provided by Rule XVII of the Commission's rules of practice.

It is further ordered, That Robert Reeder or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing. The officer so designated to preside at the hearing is hereby authorized to exercise all powers granted by the Commission under section 18 (c) of the act and to a hearing officer under the Commission's rules of practice.

The Public Utilities Division having advised the Commission that it has made a preliminary examination of said amended plan, and that, on the basis thereof, the following matters and questions are presented for consideration by the Commission without prejudice, however, to the presentation of additional matters and questions upon further examination, and to the consideration of those issues cited in the Commission's notice and order of August 11, 1945 (Holding Company Act Release No. 5983) in respect of the plan heretofore filed herein by Ogden as Amendment No. 12, insofar as such issues may also be applicable to said amended plan;

1. Whether the amended plan, as proposed, or as it may hereafter be modified, is necessary to effectuate the provisions of section 11 (b) of the act and is fair and equitable to the persons affected thereby;

2. More particularly, whether the treatment proposed to be accorded to the public security holders of Central States and Central Utilities and to Ogden in regard to their respective claims is fair and equitable to such persons;

3. Whether the period of time expiring December 17, 1950, within which the holders, other than Ogden, of Central States' 5½% bonds, 5% debentures and $7 preferred stock, and Central Utilities' 6% bonds, are required pursuant to the amended plan to claim the funds on deposit for such security holders or thereafter lose any claim thereto, is adequate;

4. Whether any fees, expenses and other considerations which may be claimed in connection with the proposed amended plan and related proceedings are for necessary services or purposes, reasonable in amount, and properly allocated;

5. Whether, and in what manner, the proposed amended plan should be modified to ensure adequate protection of the public interest and the interest of investors and consumers and compliance with all applicable provisions of the act and rules thereunder;

6. Whether, in the event that the Commission shall approve the amended plan as filed or as modified, the Commission shall approve said plan for purposes of section 11 (d) of the act (as well as section 11 (e)) so as to permit the Commission of its own motion and irrespective of any request therefor on the part of Central States, Central Utilities or Ogden to apply to a court for the enforcement of the amended plan pursuant to section 11 (d) of the act.

It is further ordered, That particular attention be directed at said hearing to the foregoing matters and questions.

Notice is hereby given of said hearing to Central States, Central Utilities, Ogden, Continental Illinois National Bank and Trust Company of Chicago, Indenture Trustee of Central States' 5% Debentures, The Chase National Bank of the City of New York, Indenture Trustee of Central Utilities' 6% Ten-Year Secured Gold Bonds, Manufacturers Trust Company, and to all interested persons, said notice to be given to Central States, Central Utilities, Ogden, Continental Illinois National Bank and Trust Company of Chicago, The Chase National Bank of the City of New York, and Manufacturers Trust Company by registered mail, and to all other persons by a general release of this Commission which shall be distributed to the press and mailed to all persons on the mailing list for releases issued under the act and by publication in the FEDERAL REGISTER.

It is further ordered That Central States and Central Utilities shall give additional notice of this hearing to all their security holders (insofar as the identity of such security holders is known or is available to them) by mailing to each of said persons a copy of this notice and order at his last known address at least fifteen days prior to the date of hearing.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 47-75; Filed, Jan. 3, 1947; 8:56 a. m.]

[File No. 70-1405]

CITIES SERVICE CO. ET AL.

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 30th day of December A. D. 1946.

In the matter of Cities Service Company, The Gas Service Company, Kansas City Gas Company, The Wyandotte County Gas Company, File No. 70-1405.

Applications and declarations, and amendments thereto, having been filed with this Commission, pursuant to the Public Utility Holding Company Act of 1935, particularly sections 6 (a), 7, 9 (a), 10, 12 (c) and 12 (f) thereof, by Cities Service Company ("Cities"), a registered holding company, and its public utility subsidiaries, The Gas Service Company ("Gas Service"), Kansas City Gas Company ("Kansas City") and The Wyandotte County Gas Company ("Wyandotte"), with respect to the following transactions:

It is proposed to merge Kansas City and Wyandotte into Gas Service, which will be the surviving company. Gas Service will create a total authorized capitalization of 850,000 shares of $10 par value common stock, all of which will be issued to Cities, the owner of all of the capital stock of the constituent companies (except directors' qualifying shares), as follows: (a) $5,764,457.38 par value thereof will be issued through reclassification and conversion of the presently outstanding capital stock of the constituent corporations, (b) $2,506,850 par value thereof will be issued for cash, and (c) $228,692.62 par value thereof will be issued in capitalization of a like amount of capital surplus of Gas Service.

Gas Service will borrow $16,000,000 from four banks and one insurance company and issue therefor its notes due serially in amounts of $1,100,000 annually beginning April 1, 1948 with a final maturity of $6,100,000 due December 1, 1956. Such notes will bear interest at the rate of 2½% per annum for the first seven maturities, 2¾% per annum for the next two maturities and 3% per annum for the final maturity.

The proceeds from the sale of the common stock to be issued for cash and from the issue of notes, aggregating $18,506,850, will be used to retire or redeem the remaining outstanding securities of the constituent corporations, consisting of bonds and notes, for $16,708,303, the redemption price thereof. Of this amount, Cities, as the owner of $1,548,000 principal amount of First Mortgage Bonds of Wyandotte and $6,831,928 face amount of 6% Demand Notes of Gas Service, will receive $8,379,928. The balance of the debt securities in the principal amount of $8,250,000 are owned by private institutions. The net proceeds remaining after retirement of debt securities and payment of expenses will be added to the general funds of Gas Service for general corporate purposes.

Said applications and declarations having been filed on November 22, 1946, and amendments thereto having been filed from time to time, and notice of said filing having been given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for hearing with respect to said applications and declarations within the period specified in said notice or otherwise, and not having ordered a hearing thereon; and

The Commission having been advised, by amendment, that the aforesaid transactions have been approved, to the extent necessary, by the Public Service Commission of Missouri and the State Corporation Commission of Kansas; and

Applicants-declarants having requested that the Commission issue its order with respect to the proposed transactions as soon as practicable and that such order become effective forthwith upon issuance; and

Applicants-declarants having stated that the applications and declarations herein do not constitute requests for modification of presently outstanding orders, issued by the Commission under section 11 (b) (1), regarding the retainability by Cities of its interests in the subject companies and that it is not intended that the approval of such applications and declarations will result in any modifications of such orders; and

The Commission finding with respect to such applications and declarations, as amended, that the requirements of

the applicable provisions of the act and the rules thereunder are satisfied and that no adverse findings are necessary thereunder, and deeming it appropriate in the public interest and in the interest of investors and consumers that said applications and declarations, as amended, be granted and permitted to become effective:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of said act, and subject to the terms and conditions prescribed in Rule U-24, that said applications and declarations, as amended, be, and hereby are, granted and permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 47-77; Filed, Jan. 3, 1947; 8:56 a. m.]

[File Nos. 70-1401 and 70-1399]

PEOPLES LIGHT CO. OF PITTSTON ET AL.

MEMORANDUM FINDINGS, OPINION AND ORDER PERMITTING DECLARATIONS TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 26th day of December A. D. 1946

In the Matter of Peoples Light Company of Pittston, York County Gas Company, Pennsylvania Gas & Electric Corporation, File No. 70-1401; John H. Ware, 3d, File No. 70-1399.

Peoples Light Company of Pittston ("Pittston") a gas utility company, its corporate parent York County Gas Company ("York"), a gas utility company and an exempt holding company, and Pennsylvania Gas & Electric Corporation ("Penn Corp"), a registered holding company and the parent of York, and John H. Ware, 3d, of Oxford, Pennsylvania, have filed applications and declarations with this Commission pursuant to sections 9, 10, and 12 of the Public Utility Holding Company Act of 1935 ("Act") and Rules U-23, U-44, and U-46 promulgated thereunder.

Pittston proposes to sell to John H. Ware, 3d, or his nominee, substantially all its property and assets for a base price of $266,000 in cash, subject to closing adjustments. Upon the consummation of this sale it is proposed that Pittston be dissolved and liquidated and that Pittston pay to York, the owner of all the capital stock of Pittston, its remaining assets as a liquidating dividend. York will use the cash so acquired to pay the balance of its outstanding serial notes in the amount of $262,500 now hold by the Commerical National Bank and Trust Company of New York.

The assets of Pittston will be acquired by the Pittston Gas Company, a newly organized gas utility company, all the securities of which will be owned by Ware.

The Pennsylvania Public Utility Commission has approved the sale of assets by Pittston and the acquisition by the Pittston Gas Company and has also approved the issuance of common stock by the Pittston Gas Company.[1]

Ware, a resident of Oxford, Pennsylvania, is the owner of 100% of the capital stock of eight other gas utility companies and of Penn Fuel Gas, Inc., an exempt holding company which owns the entire capital stock of three gas utility companies. All of these operating companies are located in Pennsylvania within a radius of 150 miles of Oxford, Pennsylvania. Ware also owns slightly less than 50% of the capital stock of Salem Gas Company, located in Salem, New Jersey, and is president and director of Citizens Gas & Fuel Company, all the securities of which are owned by his mother. He has an interest in a number of non-utility businesses including Gas-Oil Products Co. which supplies all the propane gas used by a number of his gas utility companies.

The proposed purchase price of $266,000, subject to certain adjustments for changes in net current assets, represents payment for the assets of Pittston including cash in the amount of $83,281, as of August 31, 1946 and other net current assets.

The gross utility plant to be sold is stated on the books of Pittston at $606,901 as of August 31, 1946 against which there is a depreciation reserve of $278,547, or net plant per books of $328,354. An original cost study of the plant account of Pittston has been completed and submitted to the Pennsylvania Public Utility Commission. The study has not yet been approved nor have the results been recorded on the company's books. The testimony indicates that if the study were adopted there would be no substantial effect on the books of the company at this time.

The difference of $172,286 between the net property account as stated on the books of Pittston and the net cost thereof to the Pittston Gas Company will be credited to Account 100.5, to be disposed of as may be required by the Pennsylvania Public Utility Commission.

York carries its investment in Pittston at $385,702 less a reserve of $235,702 set up in 1945, or at a net book amount of $150,000. The difference of $101,667 between the proceeds to be received from the liquidation of Pittston, estimated by York to be $251,667, and the net book amount of the investment will be credited to capital surplus. The proposed sales price will, however, result in a loss to York for tax purposes which will reduce its estimated taxes for 1946 by approximately $62,000.

The average annual income of Pittston for the period 1941-1945 has been $12,206; the net income for the twelve month period ended August 31, 1946 was $21,466. Ware represents that he expects to make economies in the operations of the acquiring company which will result in net savings of approximately $5,000 annually.

The costs to be incurred by Pittston in the sale of its assets and subsequent dissolution will be legal fees in the approximate amount of $3,200 and $1,000 of expenses. No fees or commissions will be paid by Ware in connection with the proposed transaction except legal fees and expenses estimated not to exceed $5,000.

We have considered the proposed transactions in the light of the standards of sections 10, 12 (c) and 12 (d) of the act and we find that such standards are satisfied.

It is therefore ordered, Pursuant to the applicable provisions of said act and subject to the terms and conditions prescribed in Rule U-24 that the aforesaid applications and declarations be, and hereby are, granted and permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 47-79; Filed, Jan. 3, 1947; 8:56 a. m.]

[File Nos. 7-932—7-954]

ALLIED STORES CORP. ET AL.

NOTICE AND ORDER OF HEARING ON APPLICATIONS FOR UNLISTED TRADING PRIVILEGES

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 30th day of December A. D. 1946.

In the matter of Applications by the Cincinnati Stock Exchange for Unlisted Trading Privileges in Twenty-Three (23) Securities, File Nos. 7-932 to 7-954 inclusive.

The Cincinnati Stock Exchange, pursuant to section 12 (f) (2) of the Securities Act of 1934 and Rule X-12F-1 thereunder, has made application for unlisted trading privileges in the following securities, which are listed and registered on other national securities exchanges as indicated below:

Allied Stores Corporation, Common Stock, No Par Value, Listed: New York Stock Exchange.

American Airlines, Incorporated (Delaware), Common Stock, $1.00 Par Value, Listed: New York Stock Exchange.

American Telephone and Telegraph Company, Common Stock, $100.00 Par Value, Listed: Boston Stock Exchange, Chicago Stock Exchange, New York Stock Exchange, Philadelphia Stock Exchange, Washington Stock Exchange.

The Chesapeake & Ohio Railway Company, Common Stock, $25.00 Par Value, Listed: New York Stock Exchange.

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[1] The record indicates that the capitalization of Pittston Gas Company, all of which will be initially owned by Ware, will consist of 700 shares of common capital stock ($50 par value per share), a $160,000 4% Note due on or before November 1, 1947, and a 5% Demand Note in the approximate amount of $66,000 or such other amount as with the proceeds from the 700 shares and $160,000 4% Note will be required to consummate the transactions. The record indicates that Ware intends to retain only the common stock of Pittston Gas Company and that the other securities are to be paid or refunded. The issuance of these securities and the acquisition of the Pittston assets are not before us, since Pittston Gas Company is not a subsidiary of a registered holding company. The acquisition by Ware of the securities of Pittston Gas Company comes before us pursuant to the requirements of section 9 (a) (2) of the act.

Colgate Palmolive Peet Company, Common Stock, No Par Value, Listed: New York Stock Exchange.

The Commonwealth & Southern Corporation, Common Stock, No Par Value, Listed: New York Stock Exchange.

Curtiss Wright Corporation, Common Stock, $1.00 Par Value, Listed: New York Stock Exchange.

Dayton Power and Light Company, Common Stock, $7.00 Par Value, Listed: New York Stock Exchange.

Federated Department Stores, Incorporated, Common Stock, No Par Value, Listed: New York Stock Exchange.

General Electric Company, Common Stock, No Par Value, Listed: Boston Stock Exchange, New York Stock Exchange.

The National Cash Register Company, Common Stock, No Par Value, Listed: New York Stock Exchange.

The New York Central Railroad Company, Common Stock, No Par Value, Listed: New York Stock Exchange.

The North American Company, Common Stock, $10.00 Par Value, Listed: New York Stock Exchange.

The Ohio Oil Company, Common Stock, No Par Value, Listed: New York Stock Exchange.

Packard Motor Car Company, Common Stock, No Par Value, Listed: Detroit Stock Exchange, New York Stock Exchange.

The Pennsylvania Railroad Company, Common Stock, $50.00 Par Value, Listed: Boston Stock Exchange, Chicago Stock Exchange, New York Stock Exchange, Philadelphia Stock Exchange.

Pepsi-Cola Company, Common Stock, 33⅓¢ Par Value, Listed: New York Stock Exchange.

Radio Corporation of America, Common Stock, No Par Value, Listed: New York Stock Exchange.

Socony-Vacuum Oil Company, Inc., Common Stock, $15.00 Par Value, Listed: New York Stock Exchange.

Standard Oil Company (New Jersey), Common Stock, $25.00 Par Value, Listed: New York Stock Exchange.

Standard Oil Company (Ohio), Common Stock, $10.00 Par Value, Listed: Cleveland Stock Exchange, New York Stock Exchange.

United States Steel Corporation, Common Stock, No Par Value, Listed: Chicago Stock Exchange, New York Stock Exchange, San Francisco Stock Exchange.

Westinghouse Electric Corporation, Common Stock, $12.50 Par Value, Listed: Boston Stock Exchange, Chicago Stock Exchange, New York Stock Exchange, Pittsburgh Stock Exchange.

Rule X-12F-1 provides that the applicant shall furnish a copy of the application to each respective issuer and to every other national securities exchange on which each of the above respective securities are listed or admitted to unlisted trading privileges. The applications are available for public inspection at the Commission's principal office in Philadelphia, Pennsylvania.

The Commission deems it necessary that a hearing be held in this matter to determine whether there exists in the vicinity of the applicant exchange sufficiently widespread public distribution of each of these securities and sufficient public trading activity in each of these securities to render the extension of unlisted trading privileges on the applicant exchange necessary or appropriate in the public interest or for the protection of investors; and to determine whether the extension of unlisted trading privileges to each of these securities otherwise is necessary or appropriate in the public interest or for the protection of investors.

Therefore it is ordered, That a public hearing be held before Frank D. Emerson as hearing officer at 10:00 a. m. on Wednesday, January 8, 1947, at the office of the Securities and Exchange Commission, 1370 Ontario Street, Cleveland, Ohio.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 47-78; Filed, Jan. 3, 1947; 8:56 a. m.]

[File No. 70-1350]

NY PA NJ UTILITIES CO. AND GENERAL PUBLIC UTILITIES CORP.

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 27th day of December 1946.

General Public Utilities Corporation ("GPU"), a registered holding company, and its wholly owned subsidiary, NY PA NJ Utilities Company ("NY PA NJ"), also a registered holding company, having filed a joint application-declaration, as amended, pursuant to sections 9 (a), 10 and 12 of the Public Utility Holding Company Act of 1935 ("Act"), with respect to the following transaction:

NY PA NJ proposes to dissolve and, in connection therewith, GPU, as NY PA NJ's sole stockholder, will surrender to NY PA NJ for cancellation all the outstanding stock of NY PA NJ and will acquire, pursuant to said dissolution, all the assets of NY PA NJ, subject to its liabilities, if any.

Such joint application-declaration, as amended, having been duly filed, and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act and the Commission not having received a request for hearing with respect to said joint application-declaration, as amended, within the period specified in said notice or otherwise, and not having ordered a hearing thereon; and

The Commission finding with respect to the application-declaration, as amended, that the requirements of the applicable provisions of the act and rules thereunder are satisfied, that no adverse findings are necessary thereunder, and deeming it appropriate in the public interest and in the interests of investors and consumers that the said application-declaration, as amended, be granted and permitted to become effective, and deeming it appropriate to grant the request of applicants-declarants that the order become effective at the earliest date possible; and further deeming it appropriate that the request of applicants-declarants that the order conform to the requirements of the Internal Revenue Code, as amended, including sections 373 (a) and 1808 (f) thereof be granted:

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of the act and rules thereunder, and subject to the terms and conditions prescribed in Rule U-24, that the application-declaration, as amended, be, and the same hereby is, granted and permitted to become effective forthwith.

It is further ordered, That the following transactions are necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935:

1. The transfer, delivery and distribution by NY PA NJ to GPU of the assets hereafter enumerated, subject to the liabilities of NY PA NJ:

Name of issuer and title of issue	*Shares or principal amount*
Spring Brook Water Company: Common capital stock	[1] 2,250
20-year 6-percent note due June 1, 1951	$20,000.00
Open account advance	$62,221.32
New York State Electric & Gas Corp.: Common capital stock	[1] 46,434
Rochester Gas & Electric Corp.: Common capital stock	[1] 775,914
Canadea Power Corp.: Common capital stock	[1] 40,000
Staten Island Edison Corp.: Comon capital stock	[1] 260,000
Jersey Central Power & Light Corp.: Common capital stock	[1] 1,053,761
Metropolitan Edison Co.: Common capital stock	[1] 360,780
Northern Pennsylvania Power Co.: Common capital stock	[1] 22,130
New Jersey Power & Light Co.: Common capital stock	[1] 87,500
Atlantic Utility Service Corp.: Common capital stock	[1] 300
New England Gas & Electric Association: $5.50 dividend series preferred shares	[1] 17,744

[1] Shares.

2. The surrender and delivery by GPU to NY PA NJ for cancellation of all the outstanding shares of stock of NY PA NJ.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 47-80; Filed, Jan. 3, 1947; 8:56 a. m.]

[File Nos 59-82, 54-51]

MEMPHIS STREET RAILWAY CO. AND NATIONAL POWER AND LIGHT CO.

NOTICE OF FILING OF AMENDED PLAN AND NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 19th day of December A. D. 1946.

The Commission having on November 13, 1945 instituted proceedings under sections 11 (b) ((2), 12 (c), 15 (f) and 20 (a) of the Public Utility Holding Company Act of 1935 with respect to The Memphis Street Railway Company ("Memphis"), a subsidiary of Memphis Generating Company, in turn, a subsidiary of National Power & Light Company ("National"), a registered holding company, which in turn is a subsidiary of Electric Bond and Share Company, also a registered holding company; and

National having filed a plan and amendments thereto pursuant to section 11 (e) of the act for the rearrangement of the capital structure of Memphis, providing, among other things, that Memphis issue (a) two shares of common stock, par value $50, in exchange for each share of its outstanding 21,710 shares of 4% preferred stock, par value $100, and (b) an aggregate of 54,641 shares of common stock, par value $50, in exchange for its outstanding 27,593 shares of common stock, par value $100; and the Commission having in its notice of filing and order for hearing issued March 27, 1946 (Holding Company Act Release No. 6506) consolidated the proceedings with respect to such plan with the proceedings previously instituted pursuant to section 11 (b) (2) of the act referred to above; and hearings having been held pursuant to said notice, extensive testimony having been taken, numerous exhibits having been presented and said hearings having been continued subject to the call of the Hearing Officer or order of the Commission;

Notice is hereby given that National has filed with the Commission pursuant to section 11 (e) of the act an amended plan for the rearrangement of the capital structure of Memphis in substitution for the plan heretofore filed.

All interested persons are referred to the aforesaid amended plan which is on file in the office of this Commission for a full statement of the transactions therein proposed which may be summarized as follows:

It is proposed that Memphis effect a partial liquidation of its outstanding 21,710 shares of 4% preferred stock, par value $100, by distributing to the holders of such stock a liquidating dividend of $50 per share in cash and that the company amend its charter so as to provide that after January 1, 1947, such preferred stock shall be entitled to (a) regular cumulative dividends in the amount of $2.00 per annum in lieu of the former dividend of $4.00 per annum and (b) a special and additional dividend or dividends aggregating $32 per share payable out of net income available after December 31, 1946, after deduction in each year of allowances for annual bond maturities and regular preferred stock dividends. In consideration for such special $32 dividend provision, the plan provides that all arrearages of dividends on the preferred stock amounting to $32 per share as of December 31, 1946, shall be waived and cancelled.

National proposes, under its dissolution program, to acquire from Memphis Generating Company the outstanding 27,593 shares of common stock of Memphis and thereupon to surrender to Memphis for cancellation 13,952.75 shares of such common stock, the remaining 13,640.25 shares of such common stock to be reclassified as 272,805 shares of common stock having a par value of $5 per share. National then proposes to distribute to its own common stockholders the 272,805 shares of common stock of Memphis thus received.

The charter of Memphis will also be amended to provide that upon consummation of the plan each share of common stock of Memphis will have one vote per share and each share of the preferred stock will have seven votes per share, and such charter will also contain further provisions deemed appropriate for the protection of preferred stockholders.

National has requested that the Commission, in the event that this amended plan is approved, apply to an appropriate District Court of the United States for an order to enforce and carry out the provisions of said amended plan. It is proposed that the effective date of the amended plan shall be the date on which the District Court issues its enforcement order or such other date as may be determined by said Court.

National has further requested that if the Commission approves the amended plan its order shall contain recitals and specifications conforming to the requirements of the Internal Revenue Code, as amended, including section 1808 (f) and Supplement R thereof.

The Commission being required by the provisions of section 11 (e) of the act, before approving any plan thereunder, to find after notice and opportunity for hearing that the plan, as submitted, or as modified, is necessary to effectuate the provisions of subsection (b) of section 11 of the act and is fair and equitable to the persons affected thereby, and it appearing appropriate to the Commission that a hearing be held upon the amended plan to afford all interested persons an opportunity to be heard with respect thereto;

It is ordered, That a hearing under the applicable provisions of the act and the rules thereunder be held on January 13, 1947 at 10 a. m., e. s. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On such date the hearing room clerk in Room 318 will advise as to the room in which such hearing will be held. All persons desiring to be heard or otherwise wishing to participate in the proceedings shall notify the Commission in the manner prescribed by Rule XVII of the rules of practice on or before January 9, 1947.

It is further ordered, That Allen MacCullen or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing in such matter. The officer so designated to preside at the hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a hearing officer under the Commission's rules of practice.

The Public Utilities Division of the Commission having advised the Commission that it has made a preliminary examination of the amendment and that, upon the basis thereof, the following matters and questions are presented for consideration without prejudice to its specifying additional matters or questions upon further examination:

(1) Whether the amended plan, as submitted or as hereafter modified, is necessary to effectuate the provisions of section 11 (b) (2) of the act, and is fair and equitable to the persons affected thereby, and if not, in what respects said amended plan, including any modifications thereof, should be modified or amended.

(2) Whether the securities of Memphis to be outstanding upon consummation of the plan will be reasonably adapted to the security structure and earning power of the company and will otherwise meet the standards of the act.

(3) Whether the terms and conditions of the amended plan relating to the preferred stock of Memphis, particularly the proposed payment of $50 per share as a liquidating dividend and the proposed special dividend aggregating $32 per share, are detrimental to the public interest or the interest of investors and consumers.

(4) Whether the accounting entries in connection with the proposed plan are appropriate and in conformity with sound accounting principles.

(5) Whether, if the proposed amended plan is authorized in whole or in part by the Commission, it is appropriate in the public interest and in the interest of investors and consumers that any terms and conditions be imposed in connection with such authorization, and, if so, what such terms and conditions should be.

(6) Whether the amended plan, as filed or as modified, makes appropriate provision for the payment of expenses, fees and remuneration in connection with the reorganization, in what amounts such expenses, fees and remuneration should be paid, and the fair and equitable allocation thereof.

(7) Whether the proposed amended plan constitutes a step in compliance with the order of the Commission dated August 23, 1941 issued pursuant to section 11 (b) (2) of the act directing the dissolution of National.

It is further ordered, That at said hearing evidence shall be adduced with respect to the foregoing matters and questions.

It is further ordered, That notice of this hearing be given to Electric Bond and Share Company, National, Memphis Generating Company, Memphis, The Public Utilities Commission of the State of Tennessee, the City of Memphis and Central Hanover Bank and Trust Company, as Trustee for the Memphis 4% serial mortgage bonds, by registered mail and to all other persons by publication of this notice and order in the FEDERAL REGISTER and by a general release of the Commission distributed to the press and mailed to the mailing list for releases issued under the Public Utility Holding Company Act of 1935.

It is further ordered, That Memphis shall give notice of this hearing to all its preferred stockholders (insofar as the identity of such stockholders is available or known to it), by mailing to each of said persons a copy of this notice of filing and notice of and order for hearing together with a copy of the proposed plan for the rearrangement of the capital structure of Memphis, at his last known address at least ten days prior to the date of said hearing.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 47-81; Filed, Jan. 3, 1947; 8:56 a. m.]

[File No. 70-1410]

GENERAL PUBLIC UTILITIES CORP. AND ATLANTIC UTILITY SERVICE CORP.

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the city of Philadelphia, Pennsylvania, on the 23d day of December 1946.

General Public Utilities Corporation ("GPU"), a registered holding company, and its non-utility subsidiary, Atlantic Utility Service Corporation ("Auscorp"), having filed a joint application-declaration pursuant to sections 9 (a) (1) and 10 of the Public Utility Holding Company Act of 1935, with respect to the following transactions:

Auscorp proposes to sell to GPU 10 shares of Class B Common Capital Stock, without nominal or par value, of Employees Welfare Association, Incorporated (Del.) ("EWA") for $1,000 in cash, which stock constitutes the entire outstanding capital stock of EWA, a non-utility subsidiary engaged in the business of administering certain insurance plans for the employees of companies in the GPU system and certain other companies which were formerly in the system.

The application-declaration having been filed December 4, 1946 and notice of said filing having been given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for hearing with respect to said application within the period specified in said notice or otherwise, and not having ordered a hearing thereon;

It is hereby ordered, Pursuant to said Rule U-23 and the applicable provisions of said act, that said joint application-declaration be, and the same hereby is granted and permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 47-82; Filed, Jan. 3, 1947; 8:57 a. m.]

[File No. 59-37]

CENTRAL ILLINOIS PUBLIC SERVICE CO.

ORDER DISMISSING PROCEEDINGS

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 23d day of December A. D. 1946.

The Commission having heretofore instituted proceedings pursuant to sections 11 (b) (2) and 15 (f) of the Public Utility Holding Company Act of 1935 directed to Central Illinois Public Service Company, a public utility operating company and subsidiary of The Middle West Corporation, a registered holding company; and

Applications and declarations having subsequently been filed by Central Illinois Public Service Company wherein the company proposed a refinancing program and the Commission, after public hearings, having approved such applications and declarations and having found that such program apparently was designed to meet the issues raised in said proceedings under sections 11 (b) (2) and 15 (f) and having stated that said proceedings would be dismissed upon consummation of such refinancing program; and

Central Illinois Public Service Company having filed its Certificate of Notification with respect to the consummation of such refinancing program and having filed a request that the Commission dismiss said proceedings under sections 11 (b) (2) and 15 (f); and

It appearing to the Commission that the conditions which necessitated the institution of said proceedings no longer exist; and

The Commission deeming it appropriate in the public interest and in the interests of investors and consumers to dismiss said proceedings:

It is ordered, That the proceedings heretofore instituted pursuant to sections 11 (b) (2) and 15 (f) of the Public Utility Holding Company Act of 1935 with respect to Central Illinois Public Service Company be, and hereby is, dismissed.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 47-83; Filed, Jan. 3, 1947; 8:57 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

[Vesting Order 7932]

HERMAN FRIDERICH SAHLENDER

In re: Trust under the last will and testament of Herman Friderich Sahlender, also known as H. F. Sahlender, also known as Herm F. Sahlender, also known as Hermann F. Sahlender, also known as Herman F. Sahlender, deceased. File No. D-28-10175; E. T. sec. 14487.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Friderich Sahlender, August Sahlender, George Mayer and Johanne Jochims, whose last known addresses are Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the surviving issue of Friderich Sahlender, the surviving issue of August Sahlender, the surviving issue of Gustav Sahlender, the widow, name unknown, of Gustav Sahlender, deceased, the surviving issue of George Mayer and the surviving issue of Johanne Jochims, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

3. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraphs 1 and 2 hereof, and each of them, in and to the trust under the last will and testament of Herman Friderich Sahlender, also known as H. F. Sahlender, also known as Herm F. Sahlender, also known as Hermann F. Sahlender, also known as Herman F. Sahlender, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany);

4. That such property is in the process of administration by Anglo California National Bank of San Francisco, as trustee, acting under the judicial supervision of the Superior Court of the State of California, County and City of San Francisco;

and it is hereby determined:

5. That to the extent that the above named persons and the surviving issue of Friderich Sahlender, the surviving issue of August Sahlender, the surviving issue of Gustav Sahlender, the widow, name unknown, of Gustav Sahlender, deceased, the surviving issue of George Mayer, and the surviving issue of Johanne Jochims, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

(40 Stat. 411, 55 Stat. 839; Pub. Law 322, 79th Cong., 60 Stat. 50; Pub. Law 671, 79th Cong.; 60 Stat. 925; 50 U. S. C. App. 1, 616; E. O. 9193, July 6, 1942, 7 F. R. 5205; E. O. 9567, June 8, 1945, 10 F. R. 6917; E. O. 9788, Oct. 14, 1946, 11 F. R. 11981)

Executed at Washington, D. C., on December 24, 1946.

For the Attorney General.

[SEAL] DONALD C. COOK, *Director.*

[F. R. Doc. 46-22050; Filed, Dec. 31, 1946; 8:49 a. m.]

[Vesting Order 7920]

TOJURO TAGAMI

In re: Real property owned by Tojuro Tagami.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Tojuro Tagami, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows: Real property situated in the County of Clark, State of Nevada, particularly described as the northwest quarter of the northwest quarter and the

north half of the southwest quarter of the northwest quarter of Section 5, Township 21 South, Range 62 East, Mount Diablo Base and Meridian, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

(40 Stat. 411; 55 Stat. 839; 60 Stat. 50; Pub. Law 322, 79th Cong.; Pub. Law 671, 50 U. S. C. App. 1, 50 U. S. C. App. Sup. 616; E. O. 9193, July 6, 1942, 7 F. R. 5205; E. O. 9567, June 8, 1945, 10 F. R. 6917; E. O. 9788, Oct. 14, 1946, 11 F. R. 11981)

Executed at Washington, D. C., on December 18, 1946.

For the Attorney General.

[SEAL] DONALD C. COOK, *Director.*

[F. R. Doc. 47-48; Filed, Jan. 2, 1947; 8:53 a. m.]

[Vesting Order 7921]

MASATSU TANIGUCHI

In re: Real property and claim owned by Masatsu Taniguchi.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Masatsu Taniguchi, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows:

a. Real property situated in the County of Sacramento, State of California, particularly described in Exhibit A, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property, and

b. That certain debt, or obligation, owing to Masatsu Taniguchi by Alex Uffelman, Box 84, Florin, California, arising by reason of rentals which are due and unpaid for the real property described in subparagraph 2-a hereof, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan); and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described in subparagraph 2-a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries.

There is hereby vested in the Attorney General of the United States the property described in subparagraph 2-b hereof,

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

(40 Stat. 411; 55 Stat. 839; 60 Stat. 50; Pub. Law 322, 79th Cong.; Pub. Law 671; 50 U. S. C. App. 1, 50 U. S. C. App. Sup. 616; E. O. 9193, July 6, 1942, 7 F. R. 5205; E. O. 9567, June 8, 1945, 10 F. R. 6917; E. O. 9788, Oct. 14, 1946, 11 F. R. 11981)

Executed at Washington, D. C., on December 18, 1946.

For the Attorney General.

[SEAL] DONALD C. COOK, *Director.*

EXHIBIT A

All that certain real property situate in the County of Sacramento, State of California, described as:

All that portion of the Southwest ¼ of Section 36, Township 8 North, Range 5 East, M. D. B. & M., described as follows:

Beginning at a point on the Section line common to Sections 35 and 36, said township and range, distant North 0° 06' West 1056.00 feet from the Southwest corner of said Section 36, said township and range thence from said point of beginning, South 89° 56' East 1650.00 fee to a stake; thence North 0° 06' West 528.00 feet to a stake; thence North 89° 56' West 1650.00 feet to a stake on the West line of said Section 36, which said stake bears South 0° 06' East 1056.00 feet from the quarter corner on the West line of said Section 36; thence South 0° 06' East along the West line of said Section 36, a distance of 528 feet to the point of beginning.

[F. R. Doc. 47-47; Filed, Jan. 2, 1947; 8:53 a. m.]

[Vesting Order 6575, Amdt.]

GERTRUDE SPIEGEL SPENNER

In re: Stock and bonds owned by, and debts owing to, Gertrude Spiegel Spenner, File No. 28-12282.

Vesting Order Number 6575, dated June 14, 1946, is hereby amended as follows and not otherwise:

a. By deleting from Exhibit A, attached thereto and by reference made a part thereof, the certificate number 1165, set forth with respect to common stock of the Bell Mining Co., and substituting therefor the certificate number 316, and

b. By deleting from Exhibit A, attached thereto and by reference made a part thereof, the certificate number 316, set forth with respect to common stock of the Benton Mining Co., and substituting therefor the certificate number 1165;

All other provisions of said Vesting Order Number 6575 and all actions taken by or on behalf of the Alien Property Custodian or the Attorney General of the United States in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

(40 Stat. 411; 55 Stat. 839; Pub. Law 322, 79th Cong.; 60 Stat. 50; Pub. Law 671, 79th Cong.; 60 Stat. 925; 50 U. S. C. App. 1, 616; E. O. 9193, July 6, 1942, 7 F. R. 5205; E. O. 9567, June 8, 1945, 10 F. R. 6917; E. O. 9788, Oct. 14, 1946, 11 F. R. 11981)

Executed at Washington, D. C., on December 19, 1946.

For the Attorney General.

[SEAL] DONALD C. COOK, *Director.*

[F. R. Doc. 47-57; Filed, Jan. 3, 1947; 8:49 a. m.]

[Vesting Order 7933]

DEUTSCHE BANK

In re: Bank account owned by Deutsche Bank.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Deutsche Bank, the last known address of which is Berlin, Germany, is a corporation, organized under the laws of Germany, and which has or, since the effective date of Executive Order No. 8389, as amended, has had its principal place of business in Germany and is a national of a designated enemy country (Germany);

2. That the property described as follows:

a. That certain debt or other obligation owing to Deutsche Bank, by The National City Bank of New York, 55 Wall Street, New York, New York, arising out of a dollar checking account, entitled Deutsche Bank, Berlin, Germany, and any and all rights to demand, enforce and collect the same, and

b. That certain debt or other obligation owing to Deutsche Bank, by The National City Bank of New York, 55 Wall Street, New York, New York, arising out of a dollar checking account, entitled Deutsche Bank, Berlin, Germany, Special Account, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

(40 Stat. 411; 55 Stat. 839, Pub. Law 322, 79th Cong., 60 Stat. 50; Pub. Law 671, 79th Cong.; 60 Stat. 925; 50 U. S. C. App. 1, 616; E. O. 9193, July 6, 1942, 7 F. R. 5205; E. O. 9567, June 8, 1945, 10 F. R. 6917; E. O. 9788, Oct. 14, 1946, 11 F. R. 11981)

Executed at Washington, D. C., on December 24, 1946.

For the Attorney General.

[SEAL] DONALD C. COOK,
Director.

[F. R. Doc. 47-58; Filed, Jan. 3, 1947; 8:49 a. m.]

ELIZABETH P. KING

ORDER TO RETURN VESTED PROPERTY

The Office of Alien Property, having considered the claim set forth below and having filed with the Division of the Federal Register findings of fact and conclusions of law with respect to such claim, which findings and conclusions are herein incorporated by reference;

It is ordered, That the property set forth below be returned as follows:

Return order No.	Person to whom property is to be returned	Claim No.	Vesting Order No.	Notice of intention to return published	Property to be returned
2	Elizabeth P. King, Baltimore, Md.	4268	1971 (8 F. R. 11313).	11 F. R. 13446 (Nov. 13, 1946).	$9,058.12 and one-fourth undivided interest as tenant in common in warehouse property, Southwest corner Frederick and Water Streets, Baltimore City, Md.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., December 27, 1946.

For the Attorney General.

[SEAL] DONALD C. COOK,
Director.

[F. R. Doc. 47-90; Filed, Jan. 3, 1947; 8:48 a. m.]

INTER-ALLIED PATENT CORP.

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading with the Enemy Act, as amended, notice is hereby given of intention to return the following vested property on or after 30 days from the date of the publication hereof, less any authorized deductions:

Claimant	Claim No.	Vesting Order No.	Property	Location
Inter-Allied Patent Corp., New York, N. Y.	A-268	201 (8 F. R. 625)---	U. S. Letters Patent No. 2,063,687.	Washington, D. C.

Executed at Washington, D. C., on December 31, 1946.

For the Attorney General.

[SEAL] DONALD C. COOK,
Director.

[F. R. Doc. 47-89; Filed, Jan. 3, 1947; 8:48 a. m.]

FEDERAL TRADE COMMISSION

[Docket No. 5449]

METAL LATH MANUFACTURERS ASSN. ET AL.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 27th day of December A. D. 1946.

In the matter of Metal Lath Manufacturers Association, Alabama Metal Lath Company, Inc., The Bostwick Steel Lath Company, Ceco Steel Products Corporation, Goldsmith Metal Lath Company, Milcor Steel Company, National Gypsum Company, Penn Metal Company, Inc., Truscon Steel Company, United States Gypsum Company, Wheeling Corrugating Company, members of the Metal Lath Manufacturers Association; A. J. Tuscany and Joseph A. Sampson, individuals.

This matter being at issue and ready for the taking of testimony and the receipt of evidence, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That Everett F. Haycraft, a Trial Examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony and the receipt of evidence begin on Wednesday, January 29, 1947, at ten o'clock in the forenoon of that day (eastern standard time), in Hearing Room Number 332, Federal Trade Commission Building, Sixth and Pennsylvania Avenue, NW., Washington, D. C.

Upon completion of the taking of testimony and the receipt of evidence in support of the allegations of the complaint, the Trial Examiner is directed to proceed immediately to take testimony and receive evidence on behalf of the respondents. The Trial Examiner on the completion of the taking of testimony and the receipt of evidence will then close the case and make and serve on the parties at issue a recommended decision which shall include recommended findings and conclusions, as well as the reasons or basis therefor, upon all the material issues of fact, law, or discretion presented on the record, and an appropriate recommended order; all of which shall become a part of the record in said proceeding.

By the Commission.

[SEAL] A. N. ROSS,
Acting Secretary.

[F. R. Doc. 47-56; Filed, Jan. 3, 1947; 8:48 a. m.]

FEDERAL SECURITY AGENCY

Social Security Administration

CERTIFICATION OF STATE UNEMPLOYMENT COMPENSATION LAWS TO SECRETARY OF TREASURY

Pursuant to section 1603 (a) of the Internal Revenue Code as amended, the Social Security Board has heretofore approved the unemployment compensation laws of the following States:

Alabama, Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, Wyoming.

In accordance with the provisions of section 1603 (c) of the Internal Revenue

Code, the President's Reorganization Plan No. 2 effective July 16, 1946, and the authority delegated to the Commissioner for Social Security by the Federal Security Administrator, I, as Commissioner for Social Security, hereby certify the foregoing States to the Secretary of the Treasury for the taxable year 1946.

Dated: December 31, 1946.

[SEAL] ARTHUR J. ALTMEYER,
Commissioner for Social Security.

Approved:

MAURICE COLLINS,
Acting Administrator.

[F. R. Doc. 47-91; Filed, Jan. 3, 1947; 8:52 a. m.]

CERTIFICATION OF STATE LAWS TO SECRETARY OF TREASURY

Whereas, as Commissioner for Social Security, I have heretofore certified to the Secretary of the Treasury the unemployment compensation laws of the States hereinafter enumerated with respect to the taxable year 1946, as provided in section 1603 of the Internal Revenue Code, as amended; and

Whereas, I hereby find that reduced rates of contributions were allowable under the laws of each of said States with respect to the taxable year 1946 only in accordance with the provisions of subsection (a) of section 1602 of said Code:

Now therefore, pursuant to section 1602 (b) (1) of said Code, the President's Reorganization Plan No. 2 effective July 16, 1946, and the authority delegated to the Commissioner for Social Security by the Federal Security Administrator, I, as Commissioner for Social Security, hereby certify to the Secretary of the Treasury the Unemployment Compensation Law of each of the following States for the taxable year 1946:

Alabama, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, Vermont, Virginia, West Virginia, Wisconsin, and Wyoming.

Dated: December 31, 1946.

[SEAL] ARTHUR J. ALTMEYER,
Commissioner for Social Security.

Approved:

MAURICE COLLINS,
Acting Administrator.

[F. R. Doc. 47-92; Filed, Jan. 3, 1947; 8:52 a. m.]

OFFICE OF TEMPORARY CONTROLS

Civilian Production Administration

[C-468]

CAMP GANEDEN, INC.

CONSENT ORDER

Camp Ganeden, Inc., is a New York Corporation and operates a summer camp known as Camp Ganeden located at Cold Spring, New York. Camp Ganeden is charged by the Civilian Production Administration with violations of Veterans' Housing Program Order 1 in that (1) on or about October 7, 1946, they began construction, repairs, additions and alterations, without authorization, and at a cost in excess of $1,000, in commercial buildings located at Undercliff Park, Cold Spring, New York; (2) on and after October 7, 1946 they carried on construction, repairs, additions and alterations, without authorization, and at a cost in excess of $1,000, in commercial buildings located at Undercliff Park, Cold Spring, New York.

Camp Ganeden, Inc., admits the violations charged and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Camp Ganeden, Inc., the Regional Compliance Director and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) Neither Camp Ganeden, Inc., its successors and assigns, nor any other person shall do any further construction on the premises located at Undercliff Park, Cold Spring, New York, including the putting up, completing or altering of any of the structures located on said premises, unless hereafter specifically authorized in writing by the Civilian Production Administration.

(b) Camp Ganeden, Inc., shall refer to this order in any application or appeal which they may file with the Civilian Production Administration for priorities assistance or for authorization to carry on construction.

(c) Nothing contained in this order shall be deemed to relieve Camp Ganeden, Inc., its successors and assigns, from any restriction, prohibition or provision contained in any other order or regulation of the Civilian Production Administration, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 3d day of January 1947.

CIVILIAN PRODUCTION ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 47-159; Filed, Jan. 3, 1947; 11:27 a. m.]